

CITY PLANNING COMMISSION  
Austin, Texas

Regular Meeting -- March 14, 1972

The meeting of the Commission was called to order at 7:00 p.m. in the Council Room, Municipal Building.

Present

William Milstead, Chairman  
David Barrow, Jr.  
Charles Betts  
Walter Chamberlain  
Royce Faulkner  
C. W. Hetherly  
Jean Mather  
Buford Stewart  
Alan Taniguchi

Absent

None

Also Present

Richard Lillie, Director of Planning  
Jack Alexander, Assistant Director of Planning  
Walter Foxworth, Supervising Planner  
Charles Graves, City Engineer  
Caroline Schreffler, Administrative Secretary

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of March 6 and 7, 1972.

Present

\*William Milstead, Chairman  
\*\*Alan Taniguchi, Chairman  
David Barrow, Jr.  
Charles Betts  
C. W. Hetherly  
Jean Mather

Also Present

Jack Alexander, Asst. Dir. of Planning  
Al Baker, Zoning Administrator  
Caroline Schreffler, Adm. Secretary

\*Present only on March 6, 1972.

\*\*Present only on March 7, 1972.

The Planning Commission members voted unanimously to approve the minutes of November and December, 1971 and January, 1972.

C14-71-306 Non-Commissioned Officers Life Insurance Co. and Meyers Parsons  
3803-3805 Duval Street A to B (as amended)  
 506-508 East 38th Street

STAFF REPORT: Office facilities are proposed for this 29,636 square foot tract located at the corner of East 38th and Duval Streets, both having a right-of-way of sixty feet. "A" Residence zoning and single-family homes surround this property. Hancock Recreation Center and Golf Course are located to the east of the tract. There is "B" Residence zoning to the southwest of the intersection of Duval and 38th Streets and three blocks to the north on Duval Street. This case was referred back to the Planning Commission by the City Council due to a request by the owner for a change in the application to "B" Residence rather than "O" Office as applied for two months ago, which carried a recommendation for denial to the City Council.

The staff recommends that this case be granted, subject to five feet of right-of-way on Duval Street, a five-foot sidewalk easement on Duval Street, and twenty feet of right of way on East 38th Street. This zoning request is consistent with the "B" Residence zoning in the area.

TESTIMONY

WRITTEN COMMENT

W. R. Bodine: 3809 Duval Street	AGAINST
J. J. Lagowski: 1114 West 22nd Street	AGAINST
H. A. Porter: 3705 Liberty Street	AGAINST
Ruth L. Goines: 2913 Stoneway Drive	AGAINST
Lambuth Cox: 602 Texas Avenue	AGAINST
Jack R. Chick: 3810 Duval Street	AGAINST
Mrs. L. A. Goines: 601 East 38th Street	AGAINST
Fred M. Banks: 3009 Dyer Street, Dallas, Tex.	FOR
Ms. Louita D. Wilson: 4205 Ramsey Street	FOR
Edwin G. Kilian: 509 East 38th Street	FOR

PERSONS APPEARING

Petition bearing 32 signatures	AGAINST
Marion Ross: 210 Littlefield Building	AGAINST
Silas J. Maxwell: (applicant)	FOR
W. A. Engstrom: 3303 Loyola Lane	FOR
Meyers Parsons: (applicant)	FOR

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Silas Maxwell, Executive Vice President of the Non-Commissioned Officers Life Insurance Company, pointed out "B" Residence zoning diagonally across the street from this tract, to the southwest and on Speedway. It is felt that this area has changed in character over the past few years and will ultimately be taken by the University. Several owners in this immediate area have expressed agreement with this proposed change, stating that the traffic congestion, noise and automobile fumes are not compatible with single-family residential use.

C14-71-306 Non-Commissioned Officers Life Insurance Co. and Meyers Parsons-Contd.

Mr. Meyers Parsons and Mr. Bud Engstrom, property owners in this area, concurred with Mr. Maxwell's comments, citing the heavy traffic flow and many minor traffic accidents at this intersection.

## Arguments Presented AGAINST:

Three residents of this area spoke in opposition to this request. They feel that this is primarily a residential area, with well-kept homes. Many of the residents are retired, living on fixed incomes, and they feel that more intense use in this area will increase property taxes. They feel that the proposed apartment development will increase traffic congestion in the area, and that this desirable residential area should be protected. It is felt that this property was purchased as a developer's investment and has been allowed to deteriorate. A petition opposing this request was presented, bearing thirty-two signatures of owners in the immediate area.

## COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed and discussed this request; Mrs. Mather stated that this lot is large, and with proper plantings could be screened. The heavy traffic is not generated in this area, as 38th Street is a crosstown artery. The members felt that office development would be an intrusion, but that higher intensity of use is suitable for this tract. They concluded that this request should be granted, subject to five feet of right-of-way on Duval Street, a five-foot sidewalk easement on Duval Street and twenty feet of right-of-way on East 38th Street.

AYE: Messrs. Betts, Barrow, Hetherly, Milstead and Mrs. Mather

The Commission members discussed this request with regard to right-of-way requirements. They then

VOTED: To recommend that the request of the Non-Commissioned Officers Life Insurance Company for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area (as amended), for property located at 3803-3805 Duval Street and 506-508 East 38th Street be GRANTED, subject to twenty feet of right-of-way on 38th Street; five feet of right-of-way on Duval Street; and a five-foot sidewalk easement on Duval Street.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-72-004 John T. Schneider, Jr.: A to GR (as amended)  
700-702 Blackson Avenue  
7401-7405 Martin Avenue

STAFF REPORT: The rezoning request on this property was heard by the Zoning Committee during February, 1972, at which time the applicant requested "C" Commercial zoning. The Planning Commission rescheduled this case for hearing by the Zoning Committee and requested that the staff prepare an area study in the interim period. The applicant, at the Planning Commission meeting, requested that his application be amended to "GR" General Retail. This area is zoned "A" Residential and developed primarily with single-family dwellings

C14-72-004 John T. Schneider, Jr.-Contd.

to the north, west and southwest. There are two mobile homes, on separate lots, across Blackson Avenue. This area is serviced by narrow minor-residential streets and not all are paved. In 1968, a rezoning request to "C" Commercial was submitted on two lots to the north on Delmar Avenue for the purpose of expanding an automotive operation. The Planning Commission recommended that the case be denied as an intrusion into a single-family area. The application was withdrawn prior to City Council. During 1971, a multi-lot application was submitted requesting "B" Residence on Delmar and Blackson Avenues for the purpose of constructing apartments. There was strong neighborhood attendance at the Zoning Committee level. The Planning Commission recommended denial as too intensive for the area. The City Council concurred with the denial.

Mr. Jack Alexander, Assistant Director of Planning, presented information on a study of this area which was made due to this application. He displayed maps showing zoning and uses in this area. The study covers an area bounded on the north by the Louis Blalock Estate; on the south by the abandoned City limit line; on the east by Interstate Highway 35; and on the west by Avenue G, covering an area of approximately forty-five acres. All streets in this area have fifty feet of right-of-way, with paving ranging from thirty to forty feet, and some unpaved or partially paved. Fifty-five per cent of the housing is owner-occupied, with the remainder being rental property or vacant lots. The value of the housing ranges from \$712.00 to \$20,660.00, with the median being \$3,200.00. The age of these homes ranges from fifty-two years to six years, with a median age of thirty years; approximately sixty per cent of the housing is in inferior condition, with the remaining forty per cent in average condition. Personal interviews and questionnaires were used to determine that of the 53 per cent of those responding, sixty-eight per cent have lived in this area for over twenty years, with ten per cent having lived here for less than ten years. The median length of time of residence of those persons renting housing in this area is ten years. Over eighty per cent of those contacted stated that this is a desirable neighborhood and that they would be against an intrusion of commercial zoning. Seventy-six per cent are opposed to apartment development, with ninety-two per cent preferring that the area be left as single-family residential use.

The staff recommends that this case be denied as an encroachment into a single-family area and that the granting of commercial zoning would lead to the need for a buffer zone of apartments. The area is not designed for other than single-family dwellings and duplexes. The staff feels, based upon the information received, that only parcels of land fronting on Interstate Highway 35 should be zoned for other than "A" Residence use, at least for the next five-year period.

TESTIMONY

WRITTEN COMMENT

Gulf Oil Company: P. O. Box 20448  
San Antonio, Texas 78286

FOR

PERSONS APPEARING

John T. Schneider, Jr.: (applicant)  
Mr. Junius Scott: 707 Blackson Avenue  
Fifteen area residents

AGAINST  
AGAINST

C14-72-004      John T. Schneider, Jr.-Contd.

#### SUMMARY OF TESTIMONY

##### Arguments Presented FOR:

Mr. John T. Schneider, Jr., the applicant, stated that he had contacted most of the owners of property on this block, and the majority are in favor of commercial zoning, due to the traffic noise and proximity to Interstate Highway 35. The flow of traffic from and to the Interregional would not affect the residential area. One owner was under the impression that this property was zoned for commercial use; another is planning to request commercial zoning on his property. No new homes are being built, and at least one owner has moved due to the traffic noise. It is felt that the planned development will be an asset to the area, and that this use is the most suitable for this tract.

##### Arguments Presented AGAINST:

Fifteen residents of this area were present in opposition to this request. Mr. Junius Scott, of 707 Blackson Avenue, represented those present. The majority of the residents of this area have lived there for many years, and cannot afford comparable housing in other areas of the City, or the increase in taxes which will be created by commercial intrusion. He cited several recent zoning requests in this area, and requested that if the Planning Commission is of the opinion that this area should be used commercially, a blanket zoning of this area should be implemented for the benefit of the residents.

##### Arguments Presented in REBUTTAL:

Mr. Schneider stated that this particular tract should not be considered a spot zoning, due to the proximity of Interstate Highway 35. In addition, ninety per cent of the twelve property owners on this block are in favor of commercial zoning for their property.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed and discussed the information. Concern was expressed for the protection of the residents of this area from commercial intrusion. A majority of the Committee concluded that this request should be granted, subject to subdivision combining the two lots into one tract and five feet of right-of-way on both Blackson and Martin Avenues. The members in favor of the request felt Martin Avenue should be the boundary between "GR" General Retail zoning along Interstate Highway 35 and the "A" Residence zoning of the residential neighborhood.

AYE:            Messrs. Betts, Barrow and Hetherly

NAY:            Mrs. Mather and Mr. Milstead

As an alternative which has been suggested by the residents of this area, the Committee requested that the staff study and report to the full Commission on the possibility of a blanket rezoning of the area from Interstate Highway 35 to Martin Avenue.

C14-72-004 John T. Schneider, Jr.-Contd.

At the Planning Commission meeting, Mr. Jack Alexander reported that if the Commission feels that a blanket rezoning of this area is desirable, a request should be made to the City Council to direct the City Planning Department to process such an application. The members discussed the information and the testimony on this case, and

VOTED: To recommend that the request of John T. Schneider, Jr. for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area (as amended) for property located at 700-702 Blackson Avenue and 7401-7405 Martin Avenue be GRANTED, subject to five feet of right-of-way on Blackson Avenue and five feet of right-of-way on Martin Avenue, and subdivision combining the two lots into one tract.

To recommend to the City Council that an application for blanket rezoning to either "C" Commercial or "GR" General Retail zoning be processed by the Planning Department for the area from Interstate Highway 35 to Martin Avenue, to stipulate the maintenance of "A" Residence zoning for the area to the west of Martin Avenue.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly,  
Taniguchi and Mrs. Mather  
NAY: Messrs. Betts and Stewart

C14-72-017 Burt E. Dallas: A to O  
1905 Koenig Lane

STAFF REPORT: An office is proposed for this 8,100 square feet of land located in north Austin. This area is developed with a mixture of single-family dwellings, office structures, and some "LR" Local Retail zoning and use. Adjacent lots to the west and east of the subject tract are zoned "O" Office. The staff recommends that this case be granted, subject to ten feet of right-of-way on Koenig Lane. Office zoning for this area conforms with previous staff and Planning Commission recommendations. The requested zoning is more compatible with homes on Ullrich Avenue than the other non-residential uses.

TESTIMONY

WRITTEN COMMENT

Glen E. Lewis, Inc. (by Glen E. Lewis, Pres.) FOR  
4920 North Interregional  
Barry B. Williford: 1707 West Koenig Lane FOR

PERSONS APPEARING

Burt E. Dallas: 3404 Aldwyche Drive FOR

SUMMARY OF TESTIMONY

Mr. Burt E. Dallas, the applicant, concurred with the staff report.

No one appeared in opposition to this request.

C14-72-017 Burt E. Dallas-Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted in conformance with the area, subject to ten feet of right-of-way on Koenig Lane.

AYE: Messrs. Betts, Barrow, Hetherly, Milstead and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Burt E. Dallas for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 1905 Koenig Lane be GRANTED, subject to ten feet of right-of-way on Koenig Lane.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-72-018 Will Thurman, Jr.: GR to C  
5111-5305 Wasson Road

STAFF REPORT: A storage area for heavy equipment is proposed for this 1.85 acre tract in south Austin. This property was annexed during 1969 and "GR" General Retail zoning was granted shortly thereafter for the purpose of establishing a mobile home park. Land use in the area consists of a limited number of single-family homes along Wasson Road and a salvage yard on the property to the west, which has frontage on Wasson Road and South Congress Avenue. This tract is a portion of a larger area that will be considered by the Commission for a Master Plan Amendment. The proposed change is to commercial service and semi-industrial land use category and the proposed zoning change will be consistent with the staff recommendation for the Master Plan Amendment. The staff recommends that this case be granted, as an extension of existing zoning and use in the area.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Emily Yerger: 5121 Wasson Road  
Abel Teriot

FOR  
AGAINST

SUMMARY OF TESTIMONY

The applicant was not present at this hearing.

Emily Yerger, 5121 Wasson Road, stated that she approves of this change, as it will insure the discontinued use of septic tanks in this area.

Mr. Abel Teriot, a resident of this area, stated that this request is premature, as there is very little commercial development in the area, making this a spot zoning at this time. Mr. Teriot stated that he was unaware of the pending Master Plan Change, and is not sure that such a change should be made, as this area is predominately residential.

C14-72-018 Will Thurman, Jr.-Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and discussed the proposed Master Plan Change for this area. Mr. Hetherly pointed out that Mr. Teriot has a business as well as a home on his property, and the members noted the existing commercial development in the area. They concluded that this request should be granted in conformance with existing uses and the proposed Master Plan Change.

AYE: Messrs. Betts, Barrow, Hetherly, Milstead and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Will Thurman, Jr. for a change of zoning from "GR" General Retail, First Height and Area to "C" Commercial, First Height and Area for property located at 5111-5305 Wasson Road be GRANTED.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-72-019 Kay Means Murchison Trust: A to C  
3509 Lawton Avenue

STAFF REPORT: Uses permitted by the requested zoning are proposed for this 7,000 square feet of land located in a residential area of northwest Austin. Lawton Avenue is zoned and developed as "A" Residence, as are West 36th and West 37th Streets. Non-residential zoning in this area has been generally limited to "LR" Local Retail and some "GR" General Retail. During 1968 a request for "C" Commercial zoning was denied and "GR" General Retail granted to the north on Bull Creek Road. "C" Commercial zoning to the east of this tract on Jefferson Street has existed for several years. The shopping center developed on this tract would require only General Retail zoning; these non-residential zonings should be located at the intersection of major arterial streets.

The staff recommends that this case be denied as an intrusion into a well-maintained area designed for single-family dwellings and duplexes; this tract could be developed with duplexes. Lawton Street, classified as a minor residential, and with narrow surfacing of thirty feet, is adequate only for uses permitted in "A" Residence zoning.

TESTIMONY

WRITTEN COMMENT

Hawes Campbell: 1615 Westover Road

FOR

PERSONS APPEARING

Steve Harris: 1206 Perry Brooks Bldg. (representing the applicant)

I. F. Matthews

FOR

R. G. Miller

AGAINST

C14-72-019 Kay Means Murchison Trust--Contd.

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

Mr. Steve Harris, attorney, represented the applicants. This application is on a tract adjacent to a lot which is being used for a parking lot for the shopping center immediately to the east. This lot has been sold twice as "C" Commercial property, and the present owner was only recently notified of the correct zoning by the Building Inspection Department. It is felt that this area is becoming oriented toward commercial use, and that this lot will be an extension of the present commercial zoning. The present use of an upholstery repair shop generates minimal traffic, as the articles are picked up, repaired at this site, then delivered; this is a one-man business, using a pickup truck.

Mr. I. F. Matthews, owner of the tract adjacent to the one under consideration, stated that he approved of this zoning change, due to the commercial uses in the immediate area.

## Arguments Presented AGAINST:

Mr. R. G. Miller stated that he owns property in this area, and also represented other property owners on this street. He reviewed the history of the development of the shopping center, which faces 35th Street; the corner lot is used for employee parking, and is not paved. Both the lot used for parking and the lot under application have deed restrictions against commercial uses, and the residents feel that legal action may be necessary to protect their homes from intrusion. The residents feel that their neighborhood should be protected, and that there is sufficient commercial development along 35th Street. The present use on this tract is a violation and should be discontinued.

## Arguments Presented in REBUTTAL:

Mr. Harris pointed out that no replies had been received to the notices sent out in opposition to this change; the majority of these homes are rental units. He stated that the corner lot is paved and is used for parking; he feels that the deed restrictions are not applicable to this property.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information; Mr. Betts stated that the residential area is well-maintained. The members concluded this request should be denied as an intrusion into a residential area.

AYE: Messrs. Betts, Barrow, Hetherly, Milstead and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Kay Means Murchison Trust for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 3509 Lawton Avenue be DENIED.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

CL4-72-020 Mrs. Anna Schoenert: A, 1st to B, 2nd  
4504 Speedway

STAFF REPORT: Apartments are planned for this 8,758 square foot tract located in north Austin. The subject tract is two lots north of 45th Street. The Area Study recommends zoning along 45th Street but not north of 45th Street without frontage on 45th Street. Once internal lots are rezoned there is no termination point for future requests. The staff can recommend this case only by requiring this tract to be joined, by subdivision, to the property fronting on 45th Street and denying access to Speedway. The Planning Commission and City Council have approved recent rezoning in this area and limited such cases to three lots north of 45th Street with access only to 45th Street. The three lots on the northeast corner of 45th Street and Avenue F were recently rezoned with the condition that they be combined by subdivision and access be denied to Avenue F.

The staff recommends that this case be denied, as an intrusion into a basically single-family area. This section of Speedway north of 45th Street is classified as a minor residential street and is inadequate for other than single-family and duplex traffic.

TESTIMONY

WRITTEN COMMENT

Don J. Jackson: 3810 Medical Parkway #203	AGAINST
Dr. U. J. Harrill: 4405 Red River	FOR
Pearl M. Acers: 2800 West 35th Street	FOR

PERSONS APPEARING

Kirk Williamson (representing the applicant)

SUMMARY OF TESTIMONY

Mr. Kirk Williamson represented the applicants. This request is a natural extension of existing zoning, with "B" Residence zoning scattered throughout this area. He pointed out the commercial and office zoning along Guadalupe Street; this area is near the University and is moving to higher intensity use. "B" Residence zoning exists directly across the street from this tract, and is in conformance with several non-conforming uses along Speedway. Through the zoning changes taking place, Speedway is fast becoming a sixty-foot street, adequate to handle apartment traffic. It is felt that the area has changed greatly since the study done in 1967; the residents of this area do not object to this change. The University area is moving north, and development as proposed is needed in this area to serve the students.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and a majority concluded that the requested zoning is proper use for this tract and should be granted, subject to five feet of right-of-way on Speedway. The dissenting member felt that this zoning is an intrusion into a single-family area.

AYE: Messrs. Betts, Barrow, Milstead and Hetherly  
 NAY: Mrs. Mather

C14-72-020 Mrs. Anna Schoenert-Contd.

At the Commission meeting, the members reviewed the information and

VOTED: To recommend that the request of Mrs. Anna Schoenert for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 4504 Speedway be GRANTED, subject to five feet of right-of-way on Speedway.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, and Taniguchi

NAY: Mrs. Mather

C14-72-021 K.E.W., Inc.: C to C-2  
4314 Medical Parkway

STAFF REPORT: The sale of liquor is intended for 1,870 square feet of this 15,000 square foot tract located at 4314 Medical Parkway, which has been developing as non-residential for several years as evidenced by the "C" Commercial, "LR" Local Retail, "O" Office zoning and use from south of West 42nd Street to West 45th Street. To the immediate west is a City playground and park surrounded by a single-family neighborhood, which is well maintained and has remained free from more intense zoning. South and adjacent to the subject tract are three residences with another to the immediate north. East and across Medical Parkway is "LR" Local Retail zoning. The Rosedale Baptist Church is located on West 44th and Maybelle Streets.

The staff recommends that this case be denied, due to the proximity of the playground and church and the character of the neighborhood to the west. The staff has no basic objection to "C-2" Commercial zoning along Medical Parkway, but not at this particular location.

TESTIMONY

WRITTEN COMMENT

Mrs. Irene Coy: 4308 Bellvue	FOR
Rachel Enerta	FOR
James McCutcheon: 1404 Desert Quail Lane	FOR
Henrietta Maguire: 4400 Medical Parkway	AGAINST
J. C. Maguire: 4400 Medical Parkway	AGAINST
Mrs. J. W. Derr: 4300 Medical Parkway	AGAINST
Mr. and Mrs. Alden F. Terrell: 4409 Medical Pkwy.	AGAINST
C. Robert Sanstrom: 1205 West 44th Street	AGAINST
Mr. and Mrs. J. G. Hill: 4303 Medical Parkway	AGAINST
Edith Philquist Carlson: 4313 Medical Parkway	AGAINST
Mrs. Lucille Pearson Dye: 4308 and 4310 Medical Parkway	AGAINST
Amanda Dye: 4306 Medical Parkway	AGAINST

PERSONS APPEARING

Petitions bearing 265 signatures	AGAINST
Mr. and Mrs. C. O. Petterson: 1207 W. 49th St.	AGAINST
Mrs. J. C. Morris: 1309 Arcadia Avenue	AGAINST
Mr. and Mrs. Wm. J. Jackson: 4802 Finley Drive	AGAINST
Mr. and Mrs. A. F. Terrell: 4409 Medical Pkwy.	AGAINST
Ozele Asher: 4304 Rosedale	AGAINST

C14-72-021 K.E.W., Inc.-Contd.

## PERSONS APPEARING - Contd.

Mr. Sam Berkoff: 4206 Shoalwood Avenue	AGAINST
Connie L. Farris: 4403 Rosedale Avenue	AGAINST
Charles and Verna Warwick: 1808 Pasadena Drive	AGAINST
Edward T. Lorey: 4407 Sinclair	AGAINST
Burton and Johnnie Mae Anderson: 1615 Palma Plaza	AGAINST
Kirk Williamson (representing the applicant)	

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

Mr. Kirk Williamson represented the applicants. He pointed out that the requested zoning is for a small area to be used for a private club within this recently constructed office building. He stated that the right-of-way requirements as stated by the staff would not allow the development of adequate parking for this facility. It is felt that this use would not intrude upon the residents, as the clientele will be businessmen from the area, with hours of operation from 4:00 to 12:00 p.m., five days a week.

## Arguments Presented AGAINST:

Approximately forty area residents were present for this hearing; they were represented by two speakers, voicing strong opposition to the proposed use as an intrusion upon the neighborhood, the park area, and its close proximity to the church. The residents are aware that this immediate area is in a state of transition, and do not object to the office building which is being constructed on this site. Several petitions were presented objecting to the sale of alcoholic beverages at this location.

Mr. Williamson stated that in deference to the feelings of the neighborhood, this request will be withdrawn.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee then voted to allow the withdrawal of this application.

AYE: Messrs. Betts, Barrow, Hetherly, Milstead and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of K. E. W., Inc. for a change of zoning from "C" Commercial, Second Height and Area to "C-2" Commercial, Second Height and Area for property located at 4314 Medical Parkway allowed to WITHDRAW their application.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather



C14-72-022 Joe R. Long-Contd.

The Commission members reviewed the information and concurred with the Committee recommendation. They then

VOTED: To recommend that the request of Joe R. Long for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 4309 Avenue D be GRANTED.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, and Taniguchi

NAY: Mrs. Mather

C14-72-023 Robert L. Ogden: C (Tr. 1); B (Tr. 2) to C-2 (Tr. 1); C (Tr. 2)  
 Tract 1 1600 West 5th Street  
 Tract 2 1602 West 5th Street

STAFF REPORT: The applicant is requesting that 2,010.44 square feet of Tract 1, having a total square footage of 8,639, be rezoned "C-2" Commercial for purposes of operating a tavern and tract 2 be rezoned "C" Commercial. There is "D" Industrial zoning to the south across West 5th Street and "C" Commercial zoning and use to the east and west along the north side of West 5th Street. "B" Residence zoning is the primary zoning to the north of the subject tracts. West Lynn Street has been recommended for expansion to a major collector street.

The staff recommends that the requested zoning be granted if West Lynn Street can be brought up to standard; this would require thirty-five feet of right-of-way. The tracts should also be combined by a short form subdivision. "C" Commercial zoning is a logical extension of existing zoning and use in the area. The staff has no objection to the "C-2" Commercial zoning in this predominately non-residential area.

TESTIMONY

WRITTEN COMMENT

Hardy Hollers: 1209 Perry Brooks Bldg.

FOR

PERSONS APPEARING

Sol Smith

AGAINST

SUMMARY OF TESTIMONY

The applicant was not present at this hearing.

Mr. Sol Smith, who owns property across the street from this tract, stated that West Lynn Street is only fifteen feet wide at this location; he feels that the requested zoning will create severe traffic and parking problems and should not be granted until this street is widened.

C14-72-023 Robert L. Ogden-Contd.

## COMMENTS AND ACTION BY THE COMMITTEE

The staff advised that the applicant is aware of the problem of right-of-way for West Lynn Street. The Committee members reviewed the information and concluded that this request should be granted, subject to fifteen feet of right-of-way on West Lynn Street, with the remainder of the thirty-five feet of right-of-way to be negotiated by the City, and subdivision combining the two lots.

AYE: Messrs. Betts, Barrow, Hetherly, Milstead and Mrs. Mather

At the Commission meeting, the members discussed the information, noting the problem of the existing improvements which may require all right-of-way to be taken from the west side of West Lynn Street. The staff reported that rather than hold up processing of the application with a requirement of twenty feet of right-of-way to be negotiated by the City, that a thirty-foot building setback plus dedicating fifteen feet of right-of-way would be more appropriate. The Commission then

VOTED: To recommend that the request of Robert L. Ogden for a change of zoning from "C" Commercial, Second Height and Area to "C-2" Commercial, Second Height and Area (Tract 1), and from "B" Residence, Second Height and Area to "C" Commercial, Second Height and Area (Tract 2) for property located at 1600 West 5th Street (Tract 1), and 1602 West 5th Street (Tract 2), be GRANTED, subject to subdivision combining the two lots, fifteen feet of right-of-way on West Lynn Street, and a thirty-foot building setback on West Lynn Street.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-72-024 Mrs. M. G. Craddock: A, 1st to B, 2nd  
108 East 38th Street

STAFF REPORT: A ten unit efficiency apartment house is proposed for this 6,563 square feet of land located in central Austin. There is a pending case of "LR" Local Retail zoning adjacent to the west and "B" Residence zoning to the northwest on Speedway. There are additional cases of apartment zoning to the south and east across Griffith Street. The ten feet of right-of-way required for the expansion of 38th Street would reduce the lot size to 5,863 square feet, which is less than the minimum 6,000 required for "B" Residence zoning.

The staff recommends that this case be granted, subject to ten feet of right-of-way on East 38th Street. The requested zoning is compatible to existing zoning and use. East 38th Street is classified as a major arterial street which supports this type of zoning.

## TESTIMONY

## WRITTEN COMMENT

Clark C. Gill: 4102B Avenue H  
Fred Young: 3200 Guadalupe Street

AGAINST  
FOR

C14-72-024      Mrs. M. G. Carddock

PERSONS APPEARING

Chris Crow (representing the applicant)

SUMMARY OF TESTIMONY

Mr. Chris Crow represented the applicant; he concurred with the staff report.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted in conformance with the area, subject to ten feet of right-of-way on East 38th Street.

AYE:            Messrs. Betts, Barrow, Hetherly, Milstead and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED:        To recommend that the request of Mrs. M. G. Craddock for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 108 East 38th Street be GRANTED, subject to ten feet of right-of-way on East 38th Street.

AYE:            Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Tangiuchi and Mrs. Mather

C14-72-025      William Wolfe: B to O  
3800 Speedway

STAFF REPORT: A single-unit dental office is proposed for this house on a lot consisting of 7,600 square feet. This tract is situated in an area where there is substantial apartment zoning and development. East of the subject tract is "B" Residence zoning and use; on the southeast corner of 38th Street and Speedway there is a pending case of "LR" Local Retail zoning. The staff recommends that this case be granted, subject to fifteen feet of right-of-way on West 38th Street. The requested zoning is compatible with existing zoning and use. West 38th Street is classified as a major arterial and Speedway is a neighborhood collector, which supports this type of zoning.

TESTIMONY

WRITTEN COMMENT

H. H. Rothell, Jr.: 3810 Medical Parkway RM. 209            AGAINST

PERSONS APPEARING

William Wolfe (applicant)

SUMMARY OF TESTIMONY

Mr. William Wolfe stated that his son is returning to Austin and wishes to use this tract for a dentist's office; the existing structure will be remodeled.

C14-72-025 William Wolfe-Contd.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as compatible with this area, subject to fifteen feet of right-of-way on West 38th Street.

AYE: Messrs. Betts, Barrow, Hetherly, Milstead and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of William Wolfe for a change of zoning from "B" Residence, First Height and Area to "O" Office, First Height and Area for property located at 3800 Speedway be GRANTED, subject to fifteen feet of right-of-way on West 38th Street.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-72-026 Allandale Estates Development Co.: B to O  
8639-8831 Shoal Creek Boulevard

STAFF REPORT: Office development is proposed for these 4.63 acres located in northwest Austin. This area was the subject of several changes in the Master Plan prior to annexation. To the northwest is a pipe supply warehousing operation within "D" Industrial zoning. There is "BB" Residence zoning developed with townhouses to the northeast, and "B" Residence zoning and use to the south. Interim "A" Residence zoning exists to the east, developed primarily with duplexes.

The staff recommends that this case be granted as compatible with the zoning and development in the area, and as it affords a good buffer for residences to the east of Shoal Creek Boulevard.

TESTIMONY

WRITTEN COMMENT

James A. Babb: 8707 Millway Drive	AGAINST
Nick G. Castro: 8606 Millway Drive	AGAINST
Norvell King: 8612 Millway Drive	FOR
William R. Hackett: 8701 Donna Gail	FOR

PERSONS APPEARING

Phil Mockford (representing the applicant)

SUMMARY OF TESTIMONY

Mr. Phil Mockford represented the applicants. This tract consists of three cul-de-sacs, which will be utilized for office development. It is felt that this is an ideal use for this location and will provide a buffer for the residences to the east of Shoal Creek Boulevard.

No one appeared in opposition to this request.

C14-72-026 Allandale Estates Development Co.-Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as suitable use for this tract.

AYE: Messrs. Betts, Barrow, Hetherly, Milstead and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Allandale Estates Development Company for a change of zoning from "B" Residence, First Height and Area to "O" Office, First Height and Area for property located at 8639-8831 Shoal Creek Boulevard be GRANTED.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-72-027 John Henry Johnson: A to B  
 1201-1203 Haskell Street  
 47 - 49 3/4 Waller Street

STAFF REPORT: Apartment development is planned for these two lots consisting of 12,764 square feet located in east Austin. The subject tract was included in a 1969 application for rezoning along with the four lots to the south on Waller Street. "B" Residence zoning was recommended by the staff and Planning Commission for all six lots, but the subject tract was withdrawn when it was determined that additional right-of-way was necessary for the future widening of Haskell Street to accomodate the more intensive zoning. "B" Residence zoning exists from Interstate Highway 35 to past Navasota Street in this block.

The staff recommends that this case be granted, subject to fifteen feet of right-of-way for the future widening of Haskell. The requested zoning is consistent with current zoning recommendations for this area, which is developing as multi-family.

TESTIMONY

WRITTEN COMMENT

Mario and Frances H. Cantu: 56 Waller Street  
 Valentin Gonzales: 1213 Holly Street

AGAINST  
 FOR

PERSONS APPEARING

John Carter (representing the applicant)

SUMMARY OF TESTIMONY

Mr. John Carter represented the applicant. He stated that this is an excellent tract for apartment development, and the right-of-way requirement is agreeable.

No one appeared in opposition to this request.

C14-72-027 John Henry Johnson-Contd.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, in conformance with this area, and subject to fifteen feet of right-of-way on Haskell Street.

AYE: Messrs. Betts, Barrow, Hetherly, Milstead and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of John Henry Johnson for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 1201-1203 Haskell Street and 47-49 3/4 Waller Street be GRANTED, subject to fifteen feet of right-of-way on Haskell Street.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-72-028 John Foster: A to GR  
801 Montopolis Drive

STAFF REPORT: A restaurant is proposed for this 13,750 square foot tract located on the east side of Montopolis Drive where non-residential uses have been developing for several years, with "GR" General Retail and "C" Commercial uses. The west side is primarily "A" Residence zoning and use. There are several non-residential zoning cases pending in this area. Although the staff prefers to recommend "GR" General Retail zoning for a location at the intersection of two major arterial streets, the requested zoning is consistent with existing zoning and use in the area.

The staff recommends that this case be granted, subject to two and one-half feet of right-of-way on Montopolis Drive. Montopolis Drive was recently widened and paved; however, the full seventy feet of right-of-way was not acquired at that time.

## TESTIMONY

## WRITTEN COMMENT

None

## PERSONS APPEARING

Steve Price (representing the applicant)

## SUMMARY OF TESTIMONY

Mr. Steve Price represented the applicant; he reported that Montopolis Drive has been paved and curbed during the past eight months. The right-of-way requirement is agreeable to the applicant.

No one appeared in opposition to this request.

C14-72-028 John Foster-Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as a suitable use for this tract, and subject to two and one-half feet of right-of-way on Montopolis Drive.

AYE: Messrs. Betts, Barrow, Hetherly, Milstead and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of John Foster for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 801 Montopolis Drive be GRANTED, subject to two and one-half feet of right-of-way on Montopolis Drive.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-72-029 William Bowman: A to LR  
1505-1507 West 35th Street

STAFF REPORT: A drive-in grocery and coin-operated washateria are proposed for this 16,900 square feet located in west Austin. This area is very congested, due to the network of streets and the mixed zoning from "GR" General Retail to "A" Residence for single-family dwellings. "O" Office zoning was recently granted on the lot to the east and there is additional office zoning across 35th Street and to the south on West 34th Street. The future Camp Mabry Expressway will affect this property to some degree but the alignment has not been determined; this project is probably ten years or more in the future. The staff prefers to recommend "LR" Local Retail zoning when property is located at the intersection of two major arterial streets. The area is considered to have sufficient retail zoning to service the needs of the area. "O" Office is felt to be more appropriate.

The staff recommends that this case be denied, but that "O" Office, First Height and Area be granted, subject to a short form subdivision combining the two lots into one. With "O" Office zoning plus approval of a Special Permit, the Ordinance permits the use intended by the applicant.

TESTIMONY

WRITTEN COMMENT

J. E. Motheral: 816 West First Street FOR

PERSONS APPEARING

Marion Ross (representing the applicant)  
Mrs. Bill Fleming: 1506 West 34th Street FOR  
Frank Rundell FOR

SUMMARY OF TESTIMONY

Marion Ross represented the applicants. It is felt that this zoning and use are particularly suited for this property, due the traffic circulation all around the tract. From the standpoint of time involved, it would be

C14-72-029 William Bowman-Contd.

preferable to have the requested zoning, rather than the requirement of application for a special permit. The majority of the adjoining property owners approve of this zoning change.

Mr. Frank Rundell, who owns property immediately to the west of this tract, stated that he is in favor of this zoning change.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and a majority concluded that this request should be granted as compatible with this primarily commercial area, subject to subdivision combining the two lots into one tract. Mrs. Mather opposed this zoning change as setting an undesirable precedent for further zoning in the area.

AYE: Messrs. Betts, Barrow, Hetherly and Milstead  
NAY: Mrs. Mather

The Commission reviewed the information and concurred with the Committee recommendation. They then

VOTED: To recommend that the request of William Bowman for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 1505-1507 West 35th Street be GRANTED, subject subdivision combining the two lots into one tract.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlian, Faulkner, Hetherly, Stewart, and Taniguchi  
NAY: Mrs. Mather

C14-72-030 W. C. Kennedy: A, 1st to B, 2nd  
924-934 East 51st Street  
5101-5107 Bennett Avenue

STAFF REPORT: The construction of a multi-family dwelling is proposed for this 1.1 acre tract in an area composed primarily of single-family dwellings and duplexes. "LR" Local Retail and "GR" General Retail zoning have been granted at the intersections along 51st Street. This area is in transition which can be expected to accelerate, due to the planned 51st Street interchange with Interstate Highway 35. The two lots facing 52nd Street are not being recommended for rezoning as the staff considers this to represent an intrusion into a single-family area. Fifty-second Street is a minor residential street not designed for multi-family traffic. There is no history of Second Height and Area in this immediate area.

The staff recommends that this case be denied, but that "B" Residence, First Height and Area be granted for the lots fronting on 45th Street, subject to fifteen feet of right-of-way on 51st Street, five feet of right-of-way on Bennett Avenue and a short form subdivision combining the six lots into one.

C14-72-030      W. C. Kennedy-Contd.

TESTIMONY

WRITTEN COMMENT

Miss Emma Marie Carlson: 1000 East 51st Street  
 Mrs. Clarence M. Mobley: Rt. 1, Box 335 A  
 Marble Falls, Texas

FOR  
 FOR

PERSONS APPEARING

John Selman (representing the applicant)  
 Several area residents

AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. John Selman, attorney, represented the applicant. He requested that this application be amended to exclude the two lots on 52nd Street. The Second Height and Area classification is needed due to the amount of right-of-way required, which is in excess of 4,000 feet. He suggested that a restrictive covenant be placed upon the property limiting the number of units to a maximum of forty, with a minimum of thirty-five feet of height. In addition, as 51st Street will be a major thoroughfare, a restriction will be made that no curb breaks will be allowed on 51st Street. A ten-foot building setback is requested from 51st Street to allow economical development of the tract. It is felt that these restrictions will comply with the intent of the staff recommendation.

Arguments Presented AGAINST:

Three residents of this area spoke in opposition to this request. They feel that this is essentially a single-family area and this request is an intrusion. One resident stated that she would prefer a business operation on this tract, rather than apartment development. In addition, it is felt that the generated traffic will be too heavy for Bennett Avenue to handle.

Arguments Presented In REBUTTAL:

Mr. Selman stated that Bennett Street will be widened in the future, and 51st Street will be an eighty-foot boulevard.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and discussed this application. They were of the opinion that the requested use is suitable for this tract, and that the restrictive covenants suggested by the applicant would not be necessary, as the area of the tract will impose limitations. The setback variance requested must be acted upon by the Board of Adjustment, as it is an Ordinance requirement. They concluded that this request should be granted, as amended, subject to subdivision combining the lots into one tract, fifteen feet of right-of-way on 51st Street, and five feet of right-of-way on Bennett Avenue.

AYE:      Messrs. Betts, Barrow, Hetherly, Milstead and Mrs. Mather

C14-72-030      W. C. Kennedy-Contd.

The Commission concurred with the Committee recommendation and

VOTED:      To recommend that the request of W. C. Kennedy for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 924-934 East 51st Street and 5101-5107 Bennett Avenue (as amended) be GRANTED, subject to subdivision combining the lots into one tract, fifteen feet of right-of-way on 51st Street, and five feet of right-of-way on Bennett Avenue.

AYE:          Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-72-031      Brooks Hill: O to C  
Rear of 7313-7409 Lamar Boulevard

STAFF REPORT: A small brick office with storage buildings is planned for this 1.61 acre tract located in north Austin. The "C" Commercial zoning to the west has common ownership with the subject tract. Property to the north, east and west is zoned "A" Residence. During 1966 the "C" Commercial zoning was extended, over the recommendation of the staff and Planning Commission, from 150 feet to 400 feet to the east of North Lamar Boulevard to enable a more flexible development. In addition, "O" Office zoning was granted on the subject tract as a buffer zone for the homes in this area. With the present "O" Office zoning being adjacent to the "C" Commercial zoning, local retail uses are permitted under special permit procedures.

The staff recommends that this case be denied. The area is basically unchanged since the last hearing on the subject tract, and it is felt that the buffer zone of "O" Office is still appropriate. "C" Commercial allows very permissive uses such as a contractor's storage yard and semi-industrial uses.

TESTIMONY

WRITTEN COMMENT

Dawn M. Sparks: 619 West Crestland Drive	AGAINST
Betty Jo Bundy: 619 West Crestland Drive	AGAINST
Mrs. Ida Ellis: P. O. Box 493	FOR
Jefferson Chemical Company, Inc.: 7114 Lamar Blvd.	FOR

PERSONS APPEARING

James Watson: (representing the applicant)	
Jim Eichelberger: (representing the applicant)	
Brooks Hill: (applicant)	
Fred A. Mowry: 621 West Crestland Drive	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. James Watson, one of the developers of this tract, stated that difficulties are being experienced in developing office use on this tract, due to its distance from Lamar Boulevard. Consideration is being given to a high-density apartment complex on this tract, but it is felt that commercial development

C14-72-031 Brooks Hill-Contd.

would be more desirable. A subdivision plat has been approved to develop a cul-de-sac through the property abutting Lamar Boulevard into this property, with plans to develop a building to include office space, but primarily to be used for a storage facility. This use is not allowed under "O" Office zoning. The applicants are willing to place a restrictive covenant on this tract which would not allow the development of a contractor's storage yard.

Mr. Jim Eichelberger and Mr. Brooks Hill spoke in favor of this request, stating that the proposed use is ideal for this tract and would not generate as much traffic as apartment development. The taxes on this property have been increased, and economically feasible development of the tract is needed.

**Arguments Presented AGAINST:**

Two property owners from the residential area to the north spoke in opposition to this request, stating that commercial use on this tract would be an intrusion upon their homes.

**Arguments Presented in REBUTTAL:**

Mr. Leon Austin, one of the owners of this tract, stated that the cul-de-sac would insure all ingress/egress from Lamar Boulevard, so that no traffic would feed into the residential area.

**COMMENTS AND ACTION BY THE COMMITTEE**

The Committee reviewed the information and were of the opinion that commercial use should not extend to this depth, and adjacent to residential development. They concluded that this request should be denied.

**AYE:** Messrs. Betts, Barrow, Hetherly, Milstead and Mrs. Mather

The Commission concurred with the Committee recommendation and

**VOTED:** To recommend that the request of Brooks Hill for a change of zoning from "O" Office, First Height and Area to "C" Commercial, First Height and Area for property located at 7313-7409 Lamar Boulevard be DENIED.

**AYE:** Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-72-032 James K. Eichelberger, Jr.: A to GR  
Rear of 7107-7203 Burnet Road

**STAFF REPORT:** A shopping center is proposed for this 48,638 square feet of land located in north Austin. The land to the north, east, and south is zoned "A" Residence and developed with single-family residences. The property to the west is zoned "GR" General Retail extending to the west boundary line of the homes on Hardy Circle. There are several undeveloped or largely undeveloped tracts in this immediate area.

C14-72-032 James K. Eichelberger, Jr.-Contd.

The staff recommends that this case be denied as any further rezoning would be an intrusion into a single-family area which is well-maintained. The present depth of the "GR" General Retail zoning is felt to be more than sufficient for development purposes.

TESTIMONY

WRITTEN COMMENT

Samuel J. Pearson: 2004 Hardy Circle	AGAINST
Carrol Fuchs: 1919 Piedmont	AGAINST
Kelley E. McAdams: 1425 Preston Avenue	FOR
Joe Edward Reyes: 1913 West St. John Avenue	FOR
Ivory Brantley: 2000 Cullen Avenue	FOR

PERSONS APPEARING

James Eichelberger, Jr. (applicant)	
Art Dunlap	FOR
Shaderic L. Luttrell: 2011 Hardy Circle	AGAINST
Charles L. Dildine: 2005 Hardy Circle	AGAINST
Mr and Mrs. Frederic Kelly: 2003 Hardy Circle	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. James Eichelberger, Jr. stated that this tract is unique, as it is narrow, with considerable depth. He displayed a drawing of the proposed development, which will be a shopping center in two-story Spanish style architecture. All ingress/egress will be restricted to Burnet Road. A wooden privacy fence will be constructed along the boundary line to the rear of the tract, and along the south lot line which is not developed. This development will be an asset to the area.

Mr. Art Dunlap, a property owner in this area, stated his approval of this zoning change, as it will upgrade the area. At the present time the tract is vacant and is used by children for a mini-bike playground. The proposed development would benefit the City.

Arguments Presented AGAINST:

Four residents of Hardy Circle spoke in opposition to this request. They feel the proposed development would be an invasion of privacy, creating noise and traffic lights. In addition, it is felt that sufficient commercial zoning exists in this area.

Arguments Presented in REBUTTAL:

Mr. Eichelberger stated that the City is growing and will need facilities to serve the residents. He cited the shopping center development in Tarrytown, and the fact that the residential development near this facility is now the most valuable property in that area.

C14-72-032 James K. Eichelberger, Jr.-Contd.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information; Mrs. Mather stated that a privacy fence would not protect the privacy of the adjacent residents from the proposed two-story development. They recognized the difficulty of developing this tract, due to its depth, and they felt that a boundary should be established in this area for depth of commercial development. The majority of the members concluded that this request should be denied as too intense use for this tract.

AYE: Messrs. Barrow, Betts, Milstead and Mrs. Mather

NAY: Mr. Hetherly

At the Commission meeting, the staff reported that the applicant has submitted a letter requesting the amendment of this application to "O" Office, First Height and Area zoning. The Commission members then

VOTED: To recommend that the request of James K. Eichelberger, Jr. for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at the rear of 7107-7203 Burnet Road be REFERRED BACK TO THE ZONING COMMITTEE for reconsideration.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-72-033 Eligio Acosta: Interim A, Interim 1st to GR, 1st  
803 Montopolis Drive

STAFF REPORT: An upholstery repair shop is planned for this half acre tract on the east side of Montopolis Drive, along which non-residential uses have been developing for several years. The west side of Montopolis Drive is primarily "A" Residence zoning and use. There are several non-residential zoning cases pending in this immediate area. Although the staff prefers to recommend "GR" General Retail for a location at the intersection of two major arterial streets, the requested zoning is consistent with the existing zoning and use in the area. The staff recommends that this case be granted, subject to two and one-half feet of right-of-way on Montopolis Drive.

## TESTIMONY

## WRITTEN COMMENT

None

## PERSONS APPEARING

None

## SUMMARY OF TESTIMONY

No one appeared in favor of or in opposition to this request.



C14-72-034 Ray Yates-Contd.

AYE: Messrs. Taniguchi, Betts, Barrow, Hetherly and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Ray Yates for a change of zoning from "GR" General Retail, First Height and Area to "C" Commercial First Height and Area for property located at 7531 Burnet Road be GRANTED.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-72-035 Jesse Brady: A to B  
2426-2434 Bluebonnet Lane  
2512-2500 Del Curto Road

STAFF REPORT: Uses as permitted by the requested zoning are proposed for these 3.6 acres located in southwest Austin. The surrounding property is zoned and developed as "A" Residence. There are some two-story duplexes on Del Curto Road. A twenty-two unit apartment building has been developed under "O" Office zoning to the west of these duplexes. There is a mobile home park to the northwest of the subject tract. The existing apartments in the area offer a buffer between the commercial uses on South Lamar Boulevard and the residences. These tracts are large and could easily be subdivided into single-family or duplex lots.

The staff recommends that this case be denied, as an intrusion into the residential neighborhood. Bluebonnet Lane varies from forty to fifty feet of right-of-way and is uncurbed.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Martin Boozer: (representing the applicant)

SUMMARY OF TESTIMONY

Mr. Martin Boozer, attorney, represented the applicant. This property is under contract of sale subject to this zoning. The present owner of this tract will not sell the area of the tract on which his home is situated; this will result in U-shaped area of apartment development of this tract, and will not be an intrusion upon the residential homes across the street on Del Curto Road. He pointed out the heavy commercial development along South Lamar Boulevard. It is felt that the proximity of the mobile home park to this tract prohibits its development as single-family residential tracts. This request is an extension of the mobile home park use, with Del Curto Road providing a natural buffer to the single-family residences across the street. The proposed development is the highest and best use for this tract.

No one appeared in opposition to this request.

C14-72-035 Jesse Brady-Contd.

## COMMENTS AND ACTION BY THE COMMITTEE

The members discussed this request and noted that the area residents have voiced no opposition. Mr. Taniguchi stated that with the predominate zoning in the area, this tract should be developed with duplexes or "BB" Residence zoning density. Mrs. Mather stated that this request is a spot zoning, and will intrude upon the residential development.

A majority of the Committee concluded that this request should be granted as a buffer and proper use for this tract, subject to ten feet of right-of-way on Bluebonnet Lane and five to ten feet of right-of-way on Del Curto Road.

AYE: Messrs. Betts, Barrow and Hetherly  
 NAY: Mrs. Mather and Mr. Taniguchi

At the Planning Commission meeting the members discussed the density of the proposed zoning for this tract. The majority of the members felt that the residential area should be protected from heavy traffic. They then

VOTED: To recommend that the request of Jesse Brady for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 2426-2434 Bluebonnet Lane and 2512-2500 Del Curto Road be DENIED, but to recommend that "BB" Residence, First Height and Area be GRANTED, subject to ten feet of right-of-way on Bluebonnet Lane and five to ten feet of right-of-way on Del Curto Road.

AYE: Messrs. Milstead, Barrow, Betts, Faulkner, Hetherly, Taniguchi  
 and Mrs. Mather  
 NAY: Messrs. Chamberlain and Stewart

C14-72-036 C. L. Reeves: BB, 1st to B, 1st (as amended)  
 504 Swanee Drive

STAFF REPORT: Uses as permitted by the requested zoning are planned for this 12,450 square feet of land located in north Austin. The area between Guadalupe and Isabelle Streets, north of Kenniston Drive, is in transition from "A" Residence zoning to "BB" Residence zoning with some "B" Residence zoning. There is an open drainage ditch that breaks Swanee Drive near the east end of the street. All access from Swanee Drive must be channeled out to Guadalupe Street. The staff has recommended in the past that this area be limited to "BB" Residence, First Height and Area, due to the design of the subdivision and the lack of good circulation. Recent cases requesting "B" Residence, Second Height and Area have been denied or amended to First Height and Area.

The staff recommends that this case be denied, but recommends that "B" Residence, First Height and Area be granted, being consistent with recent zoning granted in the area.

C14-72-036 C. L. Reeves-Contd.

TESTIMONY

WRITTEN COMMENT

E. B. Webb: 403 Swanee Drive  
 Mary Patzelt: 410 Swanee Drive  
 Dorothy C. Hamby: 1800 Romeria Drive

AGAINST  
 AGAINST  
 FOR

PERSONS APPEARING

Richard C. Baker: (representing the applicant)

SUMMARY OF TESTIMONY

Mr. Richard Baker, attorney, represented the applicant. He requested the amendment of this request to "B" Residence, First Height and Area, in view of the fact that the City Council has adopted this classification as a pattern of development for this area.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as amended.

AYE: Messrs. Taniguchi, Barrow, Betts, Hetherly and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of C. L. Reeves for a change of zoning from "BB" Residence, First Height and Area to "B" Residence, First Height and Area, (as amended) for property located at 504 Swanee Drive be GRANTED.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-72-037 C. L. Reeves: B to C-2  
 2101 Burton Drive

STAFF REPORT: The sale of liquor within an apartment complex is proposed for this 14,800 square feet of land. The site is surrounded by "B" and "BB" Residence zoning, with apartments under construction at this time. The subject tract is somewhat removed from Oltorf Street and Riverside Drive. The staff recommends this case be granted as the proposed site is removed from churches and schools.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Richard C. Baker: (representing the applicant)  
 C. L. Reeves: (applicant)

C14-72-037 C. L. Reeves-Contd.

## SUMMARY OF TESTIMONY

Mr. Richard Baker, attorney, represented the applicant, stating that the requested zoning will allow flexibility of development of this apartment complex and club. Under the existing laws, the use of a private club requires the serving of food in conjunction with the serving of alcoholic beverages. An Ordinance amendment allowing this use for clubs within large apartment complexes will be under consideration by the City Council in the near future; if this Ordinance change is effected, the applicant will file an application to amend the "C-2" Commercial zoning to this new classification. This development will contain three hundred and sixty-eight units; and it is felt that this use is proper.

No one appeared in opposition to this request.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as a proper use within this development.

AYE: Messrs. Taniguchi, Barrow, Betts, Hetherly and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of C. L. Reeves for a change of zoning from "B" Residence, First Height and Area to "C-2" Commercial, First Height and Area for property located at 2101 Burton Drive be GRANTED.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-72-038 Willowcreek Hills: B to LR  
2207-2215 Woodland Avenue  
1800-1810 Willow Creek Drive

STAFF REPORT: Uses as permitted by the requested zoning are proposed for this 2.32 acre tract located in southeast Austin. This general area is bordered by Interstate Highway 35 to the west, Riverside Drive to the north, Pleasant Valley to the east, and Oltorf Street to the south. The area east of Parker Lane started to develop as single-family at the extension of Woodland Avenue generally southward and has since been rezoned and developed with apartments except for a recent "LR" Local Retail zoning case granted for the intersection of Woodland Avenue and Burton Drive.

The staff recommends that this case be denied, due to the fact that this area is set up under the Master Plan for moderate density apartments and further retail zoning is unwarranted.

## TESTIMONY

WRITTEN COMMENT  
None

C14-72-038 Willowcreek Hills-Contd.

## PERSONS APPEARING

Richard C. Baker: (representing the applicant)  
C. L. Reeves: 2700 Pegrum

FOR

## SUMMARY OF TESTIMONY

Mr. Richard Baker represented the applicants. He reported that Woodland Avenue has been extended through this property to Willow Creek Drive. It is felt that the requested zoning, as it relates to the property immediately adjacent, zoned "LR" Local Retail is the most desirable and economically feasible development of this tract to serve the total area. Original plans for this area for predominately single-family residences have changed; the present and planned development of apartments creates a need for this zoning for service to the area. Such interior service facilities will relieve traffic congestion. Tentative plans call for the development of this tract in conjunction with the tract presently zoned "LR" Local Retail, which will result in more desirable development. The location of this tract between Burton Drive and Willow Creek Drive, which have rights-of-way of seventy and eighty feet, is ideal for local retail facilities. This request is an extension of existing zoning, and will provide valuable service to the core area of this extensive high-density apartment area.

Mr. C. L. Reeves pointed out the existing zoning in this area, and enumerated the number of apartments planned for development. Local retail development is planned also on the tract to the north of this tract, to provide complete service facilities for this area.

No one appeared in opposition to this request.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed and discussed the information. Mrs. Mather stated that additional development of this nature is not needed, and will generate undesirable traffic through the developed single-family area. A majority concluded that this request should be granted as an extension of existing zoning, but that the tract should be to the same depth as the existing zoning. The Committee recommendation was to deny this request, but to grant "LR" Local Retail, First Height and Area zoning to a southern line that will be the continuation of the tract to the immediate west and extending along said line to Willow Creek Drive, subject to subdivision to dedicate the full right-of-way, consisting of eighty feet, for Woodland Avenue to Willow Creek Drive.

AYE: Messrs. Taniguchi, Betts, Barrow and Hetherly  
NAY: Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Willowcreek Hills for a change of zoning "B" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 2207-2215 Woodland Avenue and 1800-1810 Willow Creek Drive be DENIED, but to recommend that "LR" Local Retail, First Height and Area be GRANTED to a southern line that will be the continuation of the tract to the immediate west and extending along said line to Willow Creek Drive, subject to subdivision to dedicate the full right-of-way, consisting of eighty

C14-72-038 Willowcreek Hills-Contd.

feet, for Woodland Avenue to Willow Creek Drive.

- AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, and Taniguchi
- NAY: Mrs. Mather

C14-72-039 E. G. Carlson: C to C-2  
1008-1034 Highway 183

STAFF REPORT: A cocktail lounge is proposed for this 0.73 of an acre located in south Austin. The site falls within a complex intersection involving U. S. Highway 183 and the old and new State Highway 71. To the east is a junk yard and a beauty parlor. Most of the surrounding land is outside the City limits. The highway complex in this area creates a natural buffer to any residential area and there are no churches or schools in close proximity. The staff recommends that this case be granted.

TESTIMONY

WRITTEN COMMENT

- Dorothy S. Owens: 4610 Ridge Oak Drive FOR
- Leroy Shuberg: 1004 Bastrop Highway FOR
- Katherine S. Oppermann: 4711 Ursuline FOR  
Galveston, Texas

PERSONS APPEARING

None

SUMMARY OF TESTIMONY

No one appeared in favor of or in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committttee reviewed the information and concluded that this request should be granted, as a proper use for this site.

- AYE: Messrs. Taniguchi, Betts, Barrow, Hetherly and Mrs. Mather

The Commission concurred with the Committee recommendation and

- VOTED: To recommend that the request of E. G. Carlson for a change of zoning from "C" Commercial, First Height and Area to "C-2" Commercial, First Height and Area, for property located at 1008-1034 Highway 183 be GRANTED.

- AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather



PLANNED UNIT DEVELOPMENTS

C814-72-001 Cullers and Nutter, Inc.: Townhouse Planned Unit Development  
 Bounded on the northeast by Steck Avenue  
 on the northwest by Greenslope Drive  
 on the southeast by Forest Mesa Drive

STAFF REPORT: This application has been filed as required under Section 4, Sub-Section K, Paragraph 1-5 and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. Townhouses are proposed for this 9.88 acre site which abuts the south side of the proposed extension of Steck Avenue between Forest Mesa Drive to the east and Greenslope Drive to the west. The site has a fairly even slope to the southeast corner of the tract of about twenty-five feet in one thousand feet. The area across Greenslope Drive to the west, south of Steck Avenue is being planned for a townhouse group. South of the Planned Unit Development site Greenslope Drive is developed with single-family homes with the remainder of the area to the south to be developed as single-family. North of Steck Avenue is tentatively planned as single-family or cluster development. The following is a list of specific site information:

1. Fifty-seven units on 9.88 net acres (12.58 acres includes dedicated streets - this is not included in site figures) - overall 5.77 units per acres.
2. Coverage of buildings = 34%
3. Parking: two covered spaces per dwelling unit with thirty-eight additional spaces scattered throughout the project with twelve of these at the recreation building.
4. There are three "controlled" (by gates) access points - one to each abutting street.
5. Landscaping other than indicated existing trees are noted on plat as:  
 1. Area of PUD has over 200 native live oak trees eight inches and larger which will be used to a maximum. 2. All open space not paved will be planted with grass, shrubs, and trees to supplement the existing natural vegetation.

The site plan has been circulated to the various City Departments and the comments are as follows:

- |                       |   |   |
|-----------------------|---|---|
| Advanced Planning     | - | Six foot walls at the boundary must conform to Ordinance requirements for sight distance at street intersections.   |
| Office Engineer       | - | OK  |
| Health                | - | Recommend attachment to City Sanitary Sewer.  |
| Fire Prevention       | - | None  |
| Public Works Director | - | Driveway locations meet with our approval - need request for and approval of same before construction begins. Also recommend ten-foot driveway returns on Steck Avenue and relocate South Drive to provide for five-foot driveway returns on south and ten feet on north. |

C814-72-001 Cullers and Nutter, Inc.-Contd.

Fire Protection - The fire hydrants as indicated are believed to be adequate. If the gates are to be kept closed or locked it would slow the response of our apparatus in arriving at the scene of the emergency and in the laying of hose lines. If locked, keys should be made available. We recommend that these hydrants be placed with the four-inch opening facing the driveway and that it be approximately eighteen inches from the center of the four-inch opening to the finish grade. We also recommend that these hydrants be in operating order before framing is started, if possible.

The staff recommendation is that this request be approved subject to departmental requirements.

#### TESTIMONY

##### WRITTEN COMMENT

None

##### PERSONS APPEARING

Bob Nutter (applicant)

#### SUMMARY OF TESTIMONY

Mr. Bob Nutter stated that this property was purchased because of the beautiful trees existing upon it; these trees have been surveyed and have been utilized in the design as much as possible. The development will be homes for sale, priced from \$40,000 to \$50,000. A six-foot fence will be constructed around the entire project, to control traffic and insure privacy. The developers have met with the area residents to explain the quality of this development, and there are no objections.

A primary requirement of the design of this development was private garage access. Also, special consideration has been given to providing open space areas large enough for general use by the residents

#### COMMENTS AND ACTION BY THE COMMITTEE

The members discussed this design; Mr. Barrow stated that the circulation plan and the layout of the building entrances is well done. The members concluded that this request should be granted, subject to departmental requirements.

AYE: Messrs. Taniguchi, Betts, Barrow, Hetherly and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Cullers & Nutter, Inc. for a Planned Unit Development for property located on the northeast by Steck Avenue; on the northwest by Greenslope Drive; and on the southeast by Forest Mesa Drive, be GRANTED, subject to departmental requirements.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C814-72-002 Walter Carrington: Planned Unit Development  
North end of Quail Boulevard  
Rear of 9726-9800 North Lamar Boulevard

STAFF REPORT: The staff reported that the applicant has requested that this case be withdrawn.

The Committee members agreed to the withdrawal of this application.

AYE: Messrs. Taniguchi, Betts, Barrow, Hetherly and Mrs. Mather

The Commission

VOTED: To recommend that the request of Walter R. Carrington for a Planned Unit Development for property located at the north end of Quail Boulevard, and west of property between 9726-9800 Lamar Boulevard be WITHDRAWN.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

SPECIAL PERMITS

CP14-72-003 Joe Russo: Apartment Dwelling Group  
7633 Chevy Chase Drive

STAFF REPORT: This application has been filed as required under Section 6, Sub-section B, Paragraph 75(e) and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. This is an area of approximately 3.27 acres for the development of 103 apartments in an area zoned "C" Commercial. The project will be an addition to an existing development. The site plan has been circulated to the various City Departments and the comments are as follows:

- Advanced Planning - 1) Driveway entrance should be 30 feet wide with 10 foot radii. 2) Driveways should be 25 feet wide. 3) Parking spaces should be 20 feet deep. 4) Change building "F" to Recreation Building.
- Traffic Engineer - OK
- Public Works Director - Driveway locations meet with our approval - need request for and approval of same before construction begins. Would recommend minimum of ten feet radius on all driveway returns.
- Health - No objections. Waste Water system to be available.
- Office Engineer - Recommend that driveways be enlarged to thirty feet.

CP14-72-003 Joe Russo--Contd.

Fire Prevention - All three-story buildings should be equipped with a fire escape to comply with the State Fire Escape Law. Install required fire extinguishers when buildings are ready for occupancy.

Electric - Plat complies.

The staff recommendation is that this request be approved subject to departmental requirements.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

None

SUMMARY OF TESTIMONY

Mr. John Russell represented the applicant, stated that this development will be landscaped, with townhouse units on the front portion of the tract and one and two-bedroom units on the rear of the tract. This application is an addition to the total Chevy Chase Subdivision.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, in conformance with the area, subject to departmental requirements, with the exception of twenty-five feet required on driveways.

AYE: Messrs. Taniguchi, Betts, Barrow, Hetherly and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Joe Russo for a special permit for the development of an apartment dwelling group on property located at 7633 Chevy Chase Drive be GRANTED, subject to departmental requirements, with the exception of twenty-five feet required on driveways.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

CP14-72-004     Emile Jamail: Apartment Dwelling Group  
 2203-2217 Lawnmont Avenue

STAFF REPORT: This application has been filed as required under Section 5, Sub-Section A, Paragraph 8(e) and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. This request for a special permit is for 180 apartment units to be located in a mixed land use district. The design shows a pool, recreation building and open spaces. The site plan has been circulated to the various City Departments and the comments are as follows:

- Advanced Planning                    -     1) Short form subdivision required. 2) Place statement of "Deed Restriction" on subdivision plat and reference on site plan. 3) Make entrance perpendicular to Lawnmont Avenue, with a curb cut of 25 feet and 10 foot return radius. 4) Protect southeastern parking with curbed island as shown. 5) Six-foot privacy fence required as shown. 6) Correct north arrow.
  
- Storm Sewer                            -     Plan complies with requirements.
  
- Traffic Engineer                    -     OK
  
- Public Works Director               -     Driveway location meets with our approval - need request for and approval of same before construction begins. Would recommend minimum of ten feet radius on driveway returns.
  
- Fire Prevention                       -     Install required fire extinguishers as buildings are ready for occupancy.
  
- Electric                                -     Plat complies.
  
- Office Engineer                       -     OK
  
- Health                                   -     No objections. Waste water system to be available.

The staff recommendation is that this request be approved subject to departmental requirements.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

None

CP14-72-004      Emile Jamail--Contd.

SUMMARY OF TESTIMONY

Mr. Richard Baker, attorney, represented the applicant; he concurred with the staff report and stated that the departmental requirements presented no problems.

The staff reported that Mr. A. L. Paul, 5401 Montview Street, had called the Department, requesting that consideration be given to the restriction of curb breaks on Lawnmont Avenue, in the interest of traffic safety.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee members reviewed the information and discussed the design of this development. Mr. Taniguchi and Mrs. Mather were of the opinion that this development design should be improved. Discussion followed of the possible establishment of a policy for recommended changes by the Committee, as present policy inflicts too great a delay upon the applicant if such changes are needed. The Committee recommendation was for the denial of this request by the following vote:

AYE:            Mrs. Mather and Mr. Taniguchi  
NAY:            Messrs. Betts and Barrow  
ABSTAIN:      Mr. Hetherly

At the Planning Commission meeting, the members discussed the design of this proposed development. Mr. Barrow stated that this design resulted from the limitations of the shape of the tract and the existing deed restrictions on a portion of the property; all requirements have been met under the City's Ordinance.

Mrs. Mather stated that the primary problem of the design is the interior circulation, as a majority of the residents must cross streets and parking areas to reach the open space provided. Mr. Taniguchi stated that the parking areas around each building constituted a traffic hazard for pedestrians and creates a invasion of privacy.

Mr. Richard Lillie reported that a requirement can be made for a preliminary review of site plans for special permit applications by an amendment to the Ordinance; however, this would add to the length of time taken for the processing of the application.

CP14-72-004 Emile Jamail--Contd.

The Commission then

VOTED: To GRANT the request of Emile Jamail for a special permit for the development of an apartment dwelling group on property located at 2203-2217 Lawnmont Avenue, subject to departmental requirements.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner and Stewart  
 NAY: Mrs. Mather and Mr. Taniguchi  
 ABSTAIN: Mr. Hetherly

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

CP14-72-005 James C. Hudson: Apartment Dwelling Group  
 3401-3505 South First Street  
 502-516 Alpine Road

STAFF REPORT: This application has been filed as required under Section 5B, Sub-Section 22, Paragraph (g) and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. This request is for the construction of twelve buildings with 140 units on 4.68 acres of land zoned "LR" Local Retail. The project will have three small pools and some open space. The site plan has been circulated to the various City Departments and the comments are as follows:

- Advanced Planning - 1) Six foot opaque fence required where parking is adjacent to residential development. 2) Curbed islands as indicated to protect perpendicular parking spaces. 3) V-turn-around at end of driveway at northeast corner. 4) Thirty foot curb cuts on South First Street. 5) All curb cuts with ten foot return radii. 6) Provide play-yard and arrange pools as shown. 6) Existing easements must be shown on site plan.
- Traffic Engineer - South First Street to have forty-four feet paving.
- Public Works Director - Driveway locations meet with our approval - need request for and approval of same before construction begins. Recommend minimum of ten foot radius on all driveway returns.
- Health - No objections. Waste water system to be available.
- Office Engineer - Recommend that driveway approaches on South First Street be enlarged to thirty feet.
- Fire Prevention - Install required fire extinguishers as buildings are ready for occupancy.

CP14-72-005 James C. Hudson--Contd.

Electric - Existing easement not shown on plat.

The staff recommendation is that this request be approved subject to department requirements.

## TESTIMONY

## WRITTEN COMMENT

None

## PERSONS APPEARING

James Hudson (applicant)  
Four area residents

AGAINST

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

Mr. James Hudson stated that the terrain has influenced the design of the development, particularly in regard to preserving the view. He is presently negotiating the purchase of one-half acre located behind the parking area; this will become a play area, and the present sites for swimming pools will be eliminated.

## Arguments Presented AGAINST:

Four area residents spoke against this request; they feel that the proposed development will create noise and traffic congestion and will not be in the best interest of the homeowners in the area. They requested that more of the large trees on the tract be preserved, as they cannot be replaced, and pointed out the need for a park in the area.

## Arguments Presented In REBUTTAL:

Mr. Hudson pointed out that this tract is presently zoned "LR" Local Retail. He stated that as many trees will be preserved as possible. The property is valuable, and the developer deserves a return on his investment.

## COMMENTS AND ACTION BY THE COMMITTEE

Mrs. Mather stated that the plan should be re-designed for better utilization of the tract. Mr. Taniguchi stated that this plan would seem to be undesirable, as the two-story buildings will look into the yards of the surrounding residents. It is implied in the Ordinance that the site plan shall respect the site, the adjoining property owners, and the future residents of the development. The members discussed possible changes in the design and requested that the staff confer with the applicant before the full Planning Commission meeting. They then voted unanimously to refer this application to the full Commission.

AYE: Messrs. Taniguchi, Betts, Barrow, Hetherly and Mrs. Mather

CP14-72-005 James C. Hudson--Contd.

At the Commission meeting, the members discussed the site plan. The applicant reported that he had purchased the adjoining lot, and the plan would be revised to incorporate this area for a play area, deleting the originally planned swimming pools. The staff reported that this change could not be made until zoning is obtained on the adjoining tract. Several members voiced the opinion that the Planning Commission should consider the overall plan, rather than considering details such as the preservation of trees. The Commission then

VOTED: To APPROVE the request of James C. Hudson for a special permit for the development of an apartment dwelling group on property located at 3401-3505 South First Street and 502-516 Alpine Road, subject to departmental requirements, except the deletion of provision for a children's play yard, and requiring that the approach ramps be twenty-five feet wide only.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly and Stewart

NAY: Mrs. Mather and Mr. Taniguchi

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

CP14-72-006 Wood Shadows Apartment Limited: Apartment Project  
3605-3643 Steck Avenue

STAFF REPORT: This application has been filed as required under Section 4A, Sub-Section F, Paragraph 6 and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. This request is for the construction of an apartment project on 13.2 acres which will include 223 living units with two swimming pools, a gymnasium, sauna bath, and other recreational facilities. The site plan has been circulated to the various City Departments and the comments are as follows:

- Advanced Planning - 1) The three main entrances should be thirty feet wide with fifteen feet radii and at 90° to the center line of Steck Avenue. 2) Make center entrance as shown to eliminate dangers of circular drive with head-in parking. 3) Requires Building Code approval.
- Traffic Engineer - Main driveway on Steck Avenue must be redesigned to intersect this arterial street at 90° for safety reasons. See attached plat for suggested revision (on file with Zoning Clerk, Planning Department).
- Public Works Director - Driveway locations meet with our approval - need request for and approval of same before construction begins. Recommend minimum of ten foot radius on all driveway returns.

CP14-72-006 Wood Shadows Apartment Limited--Contd.

- Fire Prevention - Any three-story building should be provided with a fire escape as required by the Texas State Fire Escape Law. Install required fire extinguishers as buildings are ready for occupancy.
- Health - No objections. Waste water system to be available.
- Electric - Plat complies.
- Office Engineer - Recommend that driveway approaches on Steck Avenue have a minimum of thirty foot opening.
- Storm Sewer - Drainage facilities required to pick up flow from northwest portion of development.

The staff recommendation is that this request be approved subject to departmental requirements.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Charles Landers (representing applicant)

SUMMARY OF TESTIMONY

Mr. Charles Landers stated that this tract has many small trees, and as many as possible will be saved. He stated that the departmental requirements could be met, but felt that the twenty-foot driveways would be most suitable, especially with one-way signs.

COMMENTS AND ACTION BY THE COMMITTEE

The members discussed the design of this project; they were of the opinion that the circular driveway should be redesigned without the proposed parking spaces. Mrs. Mather stated that the four-bedroom units would generate children, and provision should be made for a play area. A majority of the Committee concluded that this request should be approved, subject to redesign of the circular driveway, the three main entrances to be thirty feet wide, and departmental requirements.

- AYE: Messrs. Betts, Barrow and Hetherly
- NAY: Mrs. Mather and Mr. Taniguchi

CPI4-72-006 Wood Shadows Apartment Limited--Contd.

At the Commission meeting, the staff reported that the applicant had met with them and will meet all requirements. He plans to purchase a small portion of property which adjoins this tract; this will be used for a play area for small children. The members reviewed the site plan and

VOTED: To APPROVE the request of Wood Shadows Apartments, Ltd, for a special permit for the development of an apartment project on property located at 3605-3643 Steck Avenue, subject to departmental requirements, and subject to redesign of the circular driveway, with the three main entrances to be thirty feet wide.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart and Taniguchi

NAY: Mrs. Mather

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

CPI4-72-007 Mark Lee: 140 Unit Apartment Project  
 Rear of 300-406 Delmar Avenue  
 Rear of 7504-7544 Interregional Highway

STAFF REPORT: This application has been filed as required under Section 6, Sub-Section B, Paragraph 1 and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. A 140 unit apartment complex, which will be an addition to an existing project, is proposed for this 4.7538 acres of land within a "C" Commercial district. This request is a redesign of Special Permit CPI4-68-033. The site plan has been circulated to the various City Departments and the comments are as follows:

- Traffic Engineer - OK
- Public Works Director - No problems.
- Health - No objections. Waste water system to be available.
- Office Engineer - OK
- Fire Prevention - Install required fire extinguishers as buildings are ready for occupancy.
- Electric - Plat complies.

The staff recommendation is that this request be approved subject to Building Code approval and driveway design approval as well as other departmental requirements.

CP14-72-007 Mark Lee--Contd.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Richard Henderson (applicant)

SUMMARY OF TESTIMONY

Mr. Richard Henderson, the applicant, stated that the design of this project has been carefully planned with the adjoining area and the future residents in mind. He concurred with the staff report.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the site plan, and were of the opinion that the emergency exit should be closed to prevent through traffic. They suggested an emergency gate at this location. They then voted to approve this application, subject to departmental requirements.

AYE: Messrs. Taniguchi, Betts, Barrow and Hetherly. Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Mark Lee for a Special Permit for the development of an apartment project on property located at the rear of 300-406 Delmar Avenue and the rear of 7504-7544 Interregional Highway, subject to departmental requirements, and with the emergency vehicle entrance to be closed to normal traffic.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart and Taniguchi. Mrs. Mather

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

R146

SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of February 22, 1972, and requested that this action be made a part of the minutes of this meeting of the Planning Commission.

The staff reported that there have been no referrals or appeals of subdivisions to the Planning Commission.

PRELIMINARY PLANSC8-71-109Skyview ManorPflugerville Loop and Acadia Drive

The staff reported that the developers are requesting a six month extension on this plat to allow time for more detailed work. The Commission then unanimously

VOTED: To APPROVE the request for a six month extension on the subdivision plat of SKYVIEW MANOR.

FINAL SUBDIVISION PLATS - FILED AND CONSIDERED

Fourteen final subdivisions have appeared before the Commission in the past and have now met all departmental requirements. The staff recommends that they be approved. The Commission then unanimously

VOTED: To APPROVE the following final subdivision plats:

<u>C8-68-98</u>	<u>Camelot, Section 2, Phase 1</u>
	Bee Caves Road
<u>C8-69-21</u>	<u>Blue Bird Hill</u>
	Parker Lane and Mariposa Drive
<u>C8-70-64</u>	<u>Wood Shadows, Section 1-A</u>
	Steck Avenue
<u>C8-70-88</u>	<u>Cardinal Hills, Unit #4</u>
	F.M. 620 and Raven Drive
<u>C8-70-89</u>	<u>Cardinal Hills, Unit 4-A</u>
	Marlin and Thrush
<u>C8-70-127</u>	<u>Tallwood, Section Two (2)</u>
	Tallwood Drive at Honey Suckle Trail
<u>C8-71-86</u>	<u>Westover Hills, Section 6, Phase 2</u>
	Mesa Drive and Steck Avenue
<u>C8-71-94</u>	<u>Highland Hills, Section Eight (8)</u>
	Walnut Clay Drive
<u>C8-71-102</u>	<u>Indian Hills, Section Two (2)</u>
	Rockridge Drive
<u>C8-71-119</u>	<u>Quail Creek, Phase 2, Section 5</u>
	Rundberg Lane and Parkfield Drive
<u>C8-71-130</u>	<u>The Village, Section Four (4)</u>
	Catlow Drive and Blackwood Drive
<u>C8-71-152</u>	<u>Turbine West</u>
	Howard Lane and Termal



Final Subdivision Plats--Contd.

VOTED: To ACCEPT FOR FILING AND DISAPPROVE C8-71-157 LAKEWAY, SECTION NINETEEN (19), pending compliance with Departmental requirements, and subject to installation of approved sewage collection and treatment plant.

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision plats, pending compliance with Departmental requirements.

- C8-71-173                      Lakeway, Section Twenty-two (22)  
F.M. 620 and Lakeway Boulevard
- C8-72-9                        Delaney Subdivision  
Delaney Court and Knollmeyer Drive
- C8-72-19                      Lakeway, Section 16-C  
Lakeway Boulevard and Champion

VOTED: To ACCEPT FOR FILING AND DISAPPROVE C8-71-183 JOSEPH CLAYTON SUBDIVISION, pending compliance with Departmental requirements and fiscal arrangements.

VOTED: To ACCEPT FOR FILING AND DISAPPROVE C8-72-18 LAKEWAY, SECTION 16-D, pending compliance with Departmental requirements, and a plat restriction limiting use to a single-family dwelling.

VOTED: To ACCEPT FOR FILING AND DISAPPROVE C8-72-22 THE VILLAGE, SECTION FIVE (5), pending compliance with Departmental requirements and fiscal arrangements.

C8-71-124                      Chevy Chase South, Phase I  
Riverside Drive and Wickersham Lane

The staff reported that this final plat is to be considered for a variance on drainage requirements. Mr. Charles Graves, City Engineer, reported that this review by the Commission was required because the peak flow of this drainageway exceeds 300 cubic feet per second. The street has been platted at the lowest point of this wet weather draw, which carries heavy drainage after a rainfall. The developer proposes to enclose the runoff in the interest of safety for those using this commercial area. The developer's representative reviewed the proposed method of handling this runoff, stating that it is felt that enclosing the drainage will add to the beauty of the development. The Department of Public Works recommends that this variance be granted. The Commission then unanimously

VOTED: To DISAPPROVE the subdivision plat of CHEVY CHASE SOUTH, PHASE I, pending compliance with Departmental requirements, fiscal arrangements, and required easements, and granting the requested variance on drainage requirements.

## SHORT FORM SUBDIVISIONS

Thirteen short form subdivisions have appeared before the Commission in the past and have now complied with all departmental requirements; the staff recommends that these be approved. The Commission then unanimously

VOTED: To APPROVE the following short form subdivision plats:

<u>C8s-71-263</u>	<u>Resub. Blk. D, Devonshire Park, Sec. 3</u> New Manor Rd. and Lovell Drive
<u>C8s-71-269</u>	<u>Northeast Terrace Subdivision</u> Highway 290 and Enterprise Circuit
<u>C8s-72-05</u>	<u>Resub. Lots 24 &amp; 25, Blk. A, MSZ Addition</u> Montclair Street
<u>C8s-72-17</u>	<u>Resub. Mokry and Cameron, #2</u> Bannister Lane and Garden Villa Lane
<u>C8s-72-23</u>	<u>1st Resub. Mesa Park, Section Two</u> Big Trail and Beaver Creek Drive
<u>C8s-72-26</u>	<u>St. Elmo Warehouse Addition</u> St. Elmo Road
<u>C8s-72-30</u>	<u>Resub. Lts. 16, 17, &amp; 18, Blk. B, River Oak</u> Blue Water Drive <u>Lake Est. Sec. 5</u>
<u>C8s-72-31</u>	<u>Mc's Subdivision</u> U. S. 183 and McNeil Road
<u>C8s-72-35</u>	<u>Knollwood "A"</u> Forest Hills Drive and Castle Ridge
<u>C8s-72-36</u>	<u>Resub. Southern Oaks, Sec. 7, #1</u> Tahoe Trail
<u>C8s-72-39</u>	<u>Woodmancy Addition</u> Von Quintus Road
<u>C8s-72-45</u>	<u>Resub. Lt. 4, Blk. B, Slaughter Creek Acres</u> Slaughter Creek Drive
<u>C8s-72-46</u>	<u>Morris Addition</u> Wonsley Drive

Four short form subdivisions are appearing before the Commission for the first time and have complied with all Departmental requirements; the staff recommends approval. The Commission then unanimously

VOTED: To ACCEPT FOR FILING AND APPROVE the following short form subdivision plats:

<u>C8s-72-48</u>	<u>Resub. of Lt. 1, Blk. 4, Manchaca Estates</u> Cannon League & Miles Avenue
<u>C8s-72-49</u>	<u>Harrisdale Subdivision</u> Chesterfield Avenue
<u>C8s-72-55</u>	<u>Resub. of Lt. 11, Shier Cliff-1</u> Wm. Cannon Dr. & Manchaca Road
<u>C8s-72-60</u>	<u>Northgate Terrace Annex</u> U. S. 183 and Peyton Gin Road

Short Form Subdivisions--Contd.

Nine short form subdivisions are appearing before the Commission for the first time and have not met all Departmental requirements. The staff recommends that they be accepted for filing and disapproved pending requirements. The Commission then unanimously

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision plats, pending compliance with Departmental requirements:

- C8s-72-52      Gem Addition  
Houston Street and Joe Sayers Avenue
- C8s-72-56      Bluffington, Sec. 2, Resub. Lts. 3 & 4, Blk. E  
Stradford Drive
- C8s-72-59      Resub. Lts. 7 & 8, Blk. B, Barton Hills, Sec. 6  
Briarcrest Drive and Barton Hills Drive
- C8s-72-63      Resub. Lt. 2, B. M. Hickman Subdivision  
Wheless Lane
- C8s-72-64      Resub. Lts. 30 & 31, Blk. B, Pilot Knob Acres  
Creedmoor Road
- C8s-72-65      Shoal Creek North  
Shoal Creek Blvd. and Crosscreek Drive
- C8s-72-66      Resub. Lot 9, Blk. 3, Manchaca Estates  
Cannonleague Drive
- C8s-72-68      Resub. Part of Lts. 18 & 19, Ridgetop Gardens  
East 51st Street & Berkman Drive
- C8s-72-88      W. T. Morgan Subdivision  
Camp Craft Road

C8s-72-37      The Village at Blarewood  
Blarewood Drive

The staff reported that this subdivision is requested to be withdrawn by the owner, who has changed his plans. The Commission then unanimously

VOTED: To ACCEPT THE WITHDRAWAL of the short form subdivision plat of THE VILLAGE AT BLAREWOOD.

C8s-72-41      Resub. of Buena Vista  
Rocky Ridge Drive and Buena Vista Circle

The staff reported that this plat has complied with all departmental requirements. A variance is requested to allow the street and the cul-de-sac to be forty feet wide, rather than fifty feet; this variance is recommended and the street has been dedicated and is on the ground. The Commission then unanimously

VOTED: To ACCEPT FOR FILING and APPROVE the subdivision plat of RESUBDIVISION OF BUENA VISTA, granting the requested variance on street width.



Short Form Subdivisions--Contd.

VOTED: To ACCEPT FOR FILING and APPROVE the subdivision plat of FAIRVIEW BAPTIST SUBDIVISION, granting the variance to exclude the balance of the tract.

C8s-72-57 Safeway Addition, #3  
Stassney Lane and South 1st Street

The staff reported that this subdivision plat is lacking compliance with Departmental requirements, fiscal arrangements, and required easements. A variance is requested to exclude the balance of the tract, which is recommended, as it will not affect the remaining portion. The Commission then unanimously

VOTED: To ACCEPT FOR FILING and DISAPPROVE the subdivision plat of SAFEWAY ADDITION, #3, pending compliance with Departmental requirements, fiscal arrangements, and required easements, and granting the variance to exclude the balance of the tract.

C8s-72-61 Ed Marx Subdivision  
Von Quintus Road

The staff reported that this subdivision plat has met all Departmental requirements. A variance is requested to exclude the balance of the tract, which is presently developed with mobile homes. This variance is recommended as it will not affect the remaining portion. The Commission then unanimously

VOTED: To ACCEPT FOR FILING and APPROVE the subdivision plat of the ED MARX SUBDIVISION, granting the variance excluding the balance of the tract.

C8s-72-62 C. L. Lynch Subdivision  
Nuchols Crossing Road

The staff reported that the owner of this property requests withdrawal of this plat. The Commission then unanimously

VOTED: To ACCEPT THE WITHDRAWAL of the subdivision plat of the C. L. LYNCH SUBDIVISION.

C8s-72-67 A portion of Blk. 3 & 4, H & T. C. Railroad Addition  
Chicon Street and East 6th Street

The staff reported that this subdivision is not necessary and is requested to be withdrawn. The Commission then unanimously

VOTED: To ACCEPT THE WITHDRAWAL of the subdivision plat of A PORTION OF BLOCKS 3 & 4, H. & T. C. RAILROAD ADDITION.

PUBLIC HEARINGS

C2-71-1(e) AMENDMENT TO THE AUSTIN DEVELOPMENT PLAN

Proposed change in the Expressway and Arterial Plan located in the northwest area of Austin, requested by Baker-Jones-Crow. The following streets are under consideration: Steck Avenue, from MoPac Boulevard to Great Hills Trail, approximately 1.5 miles; Great Hills Trail from Spicewood Springs Road (near Mesa Drive) to Spicewood Springs Road (west of Loop 360), a approximately 4.25 miles.

As there was not a quorum of the Planning Commission present at the Master Plan Committee meeting on February 16, 1972, the staff reports and recommendations were not given and no action was taken on this case. Testimony from interested persons was heard by the Committee.

TESTIMONY

WRITTEN COMMENT

Edgar M. Berry: 11606 North Lamar #9	FOR
M. J. Smith: 8101 Greenslope Drive	AGAINST
Mr. & Mrs. Frank Boatright: Rt. 4, Box 324F	AGAINST
Mark L. Hill: 2810 Windsor Road	AGAINST
Frederick M. Johnson: P. O. Box 6366	AGAINST
Mrs. D. J. Synbos: Rt. 4, Box 325	AGAINST
 Petition bearing seventeen signatures	 AGAINST

PERSONS APPEARING

Jeryl Hart (representing applicant)	
Glen Schmit (representing applicant)	
B. E. Orear: for the estate of Lydia Littman	FOR
Clifton McCleskey: Route 4, Box 327-B	NO OPINION
Victor Sumner: 1624 Palma Plaza	AGAINST
R. Harry Akin: 2815 West 50th Street	AGAINST
Betty Ann Theobald	AGAINST

SUMMARY OF TESTIMONY

Two area residents spoke in opposition to the termination of Great Hills Drive being placed along Spicewood Springs Road. They were of the opinion that it would serve the area better if it came out on West Loop. The area residents would like to keep Spicewood Springs Road as it is, and in their opinion this can be done if the proper steps are taken at this time to keep major arterials from tying into Spicewood Springs Road.

C2-71-1(e) Amendment to the Austin Development Plan--Contd.

## COMMENTS AND ACTION BY THE COMMITTEE

This request was referred by the Commission members present to the full Planning Commission.

At the Commission meeting, Mr. Richard Lillie, Director of Planning, reported that discussions were held with the developers of Great Hills, and the developers of land at the intersection of Steck Avenue and Balcones Drive, and at this time it is requested that this request be postponed to a future date. It is felt that more time should be given to questions raised by property owners on Spicewood Springs Road regarding this request, and to work through the new environmental Director who has been retained by the City of Austin.

Two representatives of the property owners along Spicewood Springs Road spoke in opposition to this request, stating that the Bull Creek Valley should be preserved. A request was made that the property owners be informed in writing of any meetings to be held on this matter.

The Commission then

VOTED: To recommend that the request of of Baker-Jones-Crow for a change in the Expressway and Arterial Plan located in the northwest area of Austin be POSTPONED.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C2-72-1(c) AMENDMENT TO THE AUSTIN DEVELOPMENT PLAN

Approximately ten acres requested by Mr. Will Thurman, Jr., plus 40 acres located along the east side of South Congress Avenue and both sides of Wasson Road in south Austin. The request is to change to land use designation from Suburban Residential to Commercial Service and Semi-Industrial.

STAFF REPORT: The applicant has under temporary lease just outside the City limits a contractor's office and storage yard for heavy equipment presently located on the site. In January, 1972 the construction was referred to the Planning Department. Subsequently, the applicant filed a request to change the zoning and requested a change in the Development Plan to permit the proposed use.

The area under consideration has two major topographic features: 1. Williamson Creek, that bisects the area and, 2. Two heavily wooded areas both north and south of the creek. The uses that have developed in the area, particularly the six to seven acres of junk cars located across from the applicant's request, have had a detrimental effect on the residential development. The land along South Congress Avenue has been developed as partially commercial and partially industrial including such uses as an oil company, auto parts and supply store, etc.

The Austin Development Plan was approved in 1961 and it established a policy relating to the utilization of the natural features of the creeks by establishing greenbelts, including Williamson Creek.

"Greenbelts - Greenbelts or parkways should be located along natural features such as streams and ridges and as buffers between thoroughfares and residential areas. Preferably they should connect parks and schools and provide hiking and riding trails. The majority of the greenbelts shown in the Plan are more than pleasant park-like areas in that they follow the major creeks and waterways. Thus they serve the further purpose of preserving the natural channel for drainage, thereby preventing damage to homes and businesses."

"Industry - The Plan listed some nine points to consider in locating industrial areas within the City of Austin. One of the prime areas for industrial development was located in this area south of St. Elmo Road and north of Williamson Creek."

The northern portion of the area under consideration was designated industrial, i.e., Manufacturing and Related Uses; the southern portion was designated in the Plan as a recreation and greenbelt area. This was modified in 1962 when the subdivision, Greenwood Hills, was initiated. An area study resulted in residential and commercial sections being recommended along South Congress Avenue instead of the industrial use adopted in the Master Plan. After lengthy discussions, this was approved by the Council in February, 1962. The effect of this decision was to eliminate the potential of industrial development along South Congress Avenue and change the potential greenbelt to a predominantly suburban residential area.

It was pointed out to property owners that land along South Congress Avenue used as retail facilities or commercial uses would not be affected by the change to residential use. However, under the plan as presently designated, the applicant's proposed use would not be permitted. His site is designated as suburban residential, except the area along the creek that is considered a greenbelt.

C2-72-1(c) Amendment to the Austin Development Plan - Contd.

The Austin Development Plan provides for General and Local Retail facilities to be located along major arterial streets or thoroughfares without a specific location. However, it recommends that commercial development of this type be located at the intersections of the major arterials. The use permitted would be those similar to "GR" General Retail zoning within the City.

Commercial service and Semi-industrial uses are designated for specific areas because they allow less desirable uses such as outside storage, and provides for some light manufacturing. This type of designation is similar to but not the same as "C" Commercial zoning. The testimony of the hearing before the Master Plan Committee indicated the area has a mixed character. There are some nice homes located in the area, as well as substandard development, industrial activity and a junkyard.

The delineation of an area to allow the commercial service and semi-industrial activities is difficult; however, the area east of South Congress Avenue from St. Elmo Road southerly to Mockingbird Lane, including both sides of Wasson Road, contains approximately eighty per cent of the commercial and industrial type of activity. The creek could provide a buffer zone of open space between the commercial service and semi-industrial activities and the residential development to the north. The buffer should extend fifty feet on either side of the creek.

The area to the south is predominantly residential, general retail and vacant land.

The staff recommends that the area south of Mockingbird Lane remain residential and general retail uses along South Congress Avenue. The northern portion of the area under consideration is recommended for commercial service and semi-industrial uses.

TESTIMONY

WRITTEN COMMENT

T. E. Bowles

FOR

PERSONS APPEARING

Mr. Lambright: 4811 South Congress Avenue

AGAINST

Mr. B. L. Arizmendez, 5305 Wasson Road

AGAINST

Mr. Abel Terriot

AGAINST

SUMMARY OF TESTIMONY

Area homeowners addressed the Committee, pointing out that there are several residences within this area, and that there is commercial and industrial use and designation along South Congress Avenue on either side.

At the Commission meeting, Mr. Abel Tarriott stated that this request is premature and a spot zoning, as there is much residential development in this area; also, the creek floods heavily at this location.

C2-72-1(c) Amendment to the Austin Development Plan - Contd.

## COMMENTS AND ACTION BY THE COMMITTEE

Since a quorum of the Committee was not present, no action was taken on this case. It was referred to the Planning Commission.

At the Commission meeting, the staff reported that a proposed Parks Study would be presented to the Planning Commission in approximately four weeks, which will provide tools, such as policy statements, to implement the greenbelt plan. This is now accomplished by drainage easements. Williamson Creek is an important environmental element. Mrs. Mather pointed out that should land along this creek need to be acquired, a commercial designation would increase the cost of the land; the proposed greenbelt area should be excluded. The staff reported that future studies, such as the Master Drainage Plan, may designate a larger area bounding the creek as a greenbelt. The members reviewed the information and

VOTED: To recommend that the request of Mr. Will Thurman, Jr., for an amendment to the Austin Development Plan for approximately fifty acres located along the east side of South Congress Avenue and both sides of Wasson Road in south Austin from Suburban Residential to Commercial Service and Semi-Industrial be GRANTED, excluding the greenbelt area and the area south of the extension of Mockingbird Lane.

AYE: Messrs. Milstead, Barrow, Betts, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

NAY: Mr. Chamberlain

C2-72-1(d) AMENDMENT TO THE AUSTIN DEVELOPMENT PLAN

Approximately 52 acres requested by Nash Phillips-Copus and Wiley Pringle, located in northwest Austin immediately west of the MoPac Railroad right-of-way, south from Duval Road to Loop 360. The request is to change the land use designation from Manufacturing and Related Uses to Suburban Residential.

STAFF REPORT: This area is vacant land approximately 500 feet in width along the west side of the MoPac Railroad. The land is sloping with no drainage or development problems. The land east of the requested change is owned by the IBM Corporation and is being utilized as a recreation area.

The original Austin Development Plan designated an area east of the MoPac Railroad from U. S. 183 to the L.C.R.A. transmission line for Manufacturing and Related Uses. The area under consideration was designated for Industrial Use in October of 1968. Two requests were submitted in 1969, one by Mr. Wiley Pringle for the area of the rock quarry, and one seven-acre tract on Duval Road, for Manufacturing and Related Uses.

The Pringle request was postponed for further study and the Duval Road request was granted by the Council. It should be noted that the seven-acre tract along Duval Road has not been developed at this time. In addition, the Planning Commission has two pending requests north of the IBM Corporation, requesting Industrial designation between Duval Road and F.M. 1325.

The Planning Department has worked with the developers on a schematic plan for non-industrial use of this area. The plan provides for single-family use, with approximately ten acres for multi-family use adjacent to the MoPac Expressway. The proposed development is compatible with present plans for this area, therefore, the staff recommends that this request be granted.

C2-72-1(d) Amendment to the Austin Development Plan-Contd.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Mr. Bill Williams (representing applicant)

SUMMARY OF TESTIMONY

Mr. Bill Williams stated that the applicants plan to use this property to expand their two existing subdivisions to the west; these subdivisions, Balcones Woods and Mesa Park, have been planned so as to incorporate the area under consideration.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

As there was not a quorum of the Committee present, no action was taken on this case, which was referred to the Planning Commission.

The Commission members reviewed the information and

VOTED: To recommend that the request of Nash Phillips-Copus and Wiley Pringle for an amendment to the Austin Development Plan for approximately fifty-two acres located in northwest Austin immediately west of the MoPac Railroad right-of-way, south from Duval Road to Loop 360, from Manufacturing and Related Uses to Suburban Residential be GRANTED.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

## STREET VACATIONS

C10-72-101      Urban Renewal Agency of Austin

Selected streets and alleys within the University East Urban Renewal area bounded by: Interstate Highway 35, East 19th Street, Comal Street, Manor Road, Red River Street, East 26th Street, Trinity Street and East 16th Street.

C10-72-106      Urban Renewal Agency of Austin

Selected streets and alleys within the University East Urban Renewal area bounded by: Interstate Highway 35, Manor Road, Comal Street, Emerson Street and East 19th Street.

Mr. Richard Lillie, Director of Planning, reported that these two street vacation requests will be considered together as they both affect the University East and the Brackenridge Urban Renewal projects. He displayed maps of the areas, indicating the proposed street vacations. All of these requests are in conformance with the Urban Renewal Plan as adopted by the Planning Commission and by the City Council.

In the Urban Renewal Plan there is a requirement for the widening of land to be dedicated for the widening of Manor Road, Comal Street and 19th Street on the north side. Dedication has been received from the University for right-of-way for the widening of Manor Road and 19th Street. The Capital Improvements Program has funds provided for improvement of Manor Road from Interstate 35 to Cherrywood Road, but no provision for the improvement of 19th Street, which will be dictated by the completion of the work being done on Interstate 35. It is recommended that the additional ten feet required on Comal Street be deleted, as the present sixty feet of right-of-way with forty feet of paving is considered adequate.

It is recommended that these two requests be recommended for approval as being in conformance with the Urban Renewal Plan, with arrangements for the dedication of the necessary rights-of-way to be submitted to the City Council prior to hearing on March 23rd. These vacations are subject to the retention of all easements. These easement vacations are worked out between the Agency and the various City departments, then vacated by the City Council.

The members discussed the use of this land, which is being conveyed to the University of Texas, with various uses planned such as a central stores or warehouse facility, printing facilities, possible relocation of Clark Field, and expansion of the drama and arts complex.

The Commission then

VOTED:      To recommend the APPROVAL of the request by the Urban Renewal Agency for the vacation of various streets and alleys in the University East and Brackenridge Projects, subject to the retention of all easements, and the deletion of the required ten feet of right-of-way on Comal Street.

AYE:          Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C10-72-102 Wendlandt and Naumann Developers

West portion of West 10th Street Alley at Shoal Creek  
Boulevard, between West 10th Street and West 11th Street.

Mr. Richard Lillie, Director of Planning, reported that this alley vacation request is being made by the corporation owning the property on both sides of the alley. Shoal Creek Boulevard from 10th Street to 11th Street is dedicated, but not developed, as is this alley. There is no intent of the City to open Shoal Creek Boulevard, but to retain the dedication as part of the greenbelt along Shoal Creek. There are three utility easements within this alley; wastewater, electric and telephone. The Traffic and Transportation Department states that vacation of only a portion of an alley is undesirable. The Planning Department also feel that piecemeal vacation of an alley, even if undeveloped, is not in the best interest of other property owners adjacent to the alley. While this request is not recommended, if it is approved it should remain a dedicated right-of-way until arrangements are made to re-locate the utilities.

Mr. Richard Baker represented the applicants, stating that this alley is essentially a deadend, as Shoal Creek Boulevard cannot effectively be paved and the City has no intent to pave it. There is some question that facilities exist within the easements; if there are, these will be relocated and request made to the City Council for vacation. If this is done, construction can be placed on the vacated alley. If the utilities cannot be relocated, the area can be used for parking; in either case the property will be placed on the tax rolls of the City. At the present time residents of this area use this alley for access across Lot 11 to West 11th Street, which is trespassing on private property; this lot is now being used for a parking area and this traffic is creating a hazard.

The Commission members reviewed the information and

**VOTED:** To recommend the APPROVAL of the vacation of the west portion of West 10th Street alley at Shoal Creek Boulevard between West 10th Street and West 11th Street, to extend to the east property line of Block 8, Parcel 21, subject to the retention of the necessary utility easements.

**AYE:** Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C10-72-103 Urban Renewal Agency of Austin

- 1) A portion of Wayne Street between New Pleasant Valley Road and Hargrave Street.
- 2) A portion of Hargrave Street between Wayne Street and New Pleasant Valley Road.

Mr. Richard Lillie reported that the streets in this application have all easements totally cleared, and are cleared by all City Departments. This application is recommended for approval as in conformance with the Glen Oaks Urban Renewal Project.

The Commission then

**VOTED:** To recommend for APPROVAL the request by the Urban Renewal Agency of Austin for the vacation of a portion of Wayne Street between New Pleasant Valley Road and Hargrave Street, and a portion of Hargrave Street between Wayne Street and New Pleasant Valley Road.

**AYE:** Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly Stewart, Taniguchi and Mrs. Mather

C10-72-104 The Board of Regents of the University of Texas System

- 1) The alley between University Avenue and Wichita Street from East 26th Street to East 27th Street.
- 2) Wichita Street from East 26th Street to East 27th Street.
- 3) Speedway from East 26th Street to East 27th Street.

Mr. Richard Lillie reported that the University of Texas now owns or has under condemnation all land on both sides of the right-of-way of the properties in this application. The Legal Department reports that this application can be made, although the University does not own absolute title to the land.

One property owner has voiced objection of this request, but negotiations are underway for his property. As most streets in the internal University area, these streets will probably be open for limited traffic, such as those holding permits. This request is recommended for approval, subject to retention of easements to be handled in the usual manner.

The Commission then

**VOTED:** To recommend APPROVAL of the request of The Board of Regents of the University of Texas System for the vacation of the alley between University Avenue and Wichita Street from East 26th Street to East 27th Street; Wichita Street from East 26th Street to East 27th Street; and Speedway from East 26th Street to East 27th Street, subject to the retention of all easements.

**AYE:** Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly Stewart, Taniguchi and Mrs. Mather

C10-72-105 Nash Phillips-Copus Company

A portion of Stonebridge Drive at Rutland Drive.

Mr. Richard Lillie, Director of Planning, reported that this request is for the temporary vacation of this area for a period of two to three years. It is planned to fence the area, place planter boxes, trellises and sod in the street area in conjunction with a model home operation. The developer will ultimately remove these obstructions and restore the pavement and curbing to its original condition, re-dedicating the street to the City. The various City departments request retention of utility easements, with the Planning and the Traffic and Transportation Departments recommending that this street not be vacated, as it is currently open to traffic and serves the general public.

This vacation will create a deadend, which will be a traffic hazard; it is proposed that a cul-de-sac be developed on Lots 13 and 5, if these tracts are to be developed; or alternatively, that no building permits be issued for the remaining lots on Stonebridge Drive.

Mr. Bill Williams represented the applicants, who wish to develop this area for model homes while property to the north and northwest is being sold and developed; facilities of this nature have been developed for this purpose at various locations in the past. He stated that the developer would probably agree to temporary turn-around facilities at the site. The two lots adjacent to Rutland Drive are designated as parking lots to serve visitors to the model homes.

The Commission reviewed the information and

VOTED: To recommend APPROVAL of the temporary vacation of a portion of Stonebridge Drive at Rutland Drive, to be limited to a period of three (3) years, subject to retention of easements and the development of a temporary turnaround on Stonebridge Drive.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

## OTHER BUSINESS

C2-72-4 ADMINISTRATIVE PROCEDURES AND ENFORCEMENT

Short form subdivision walk-around procedure.

Mr. Richard Lillie, Director of Planning, requested that this item be postponed for further study. The Commission then

VOTED: To POSTPONE C2-72-4 Administrative Procedures and Enforcement.

AYE: Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C2-72-8 SALE OF CITY PROPERTY

Planning Commission recommendations on sale of City surplus property.

The staff reported that City Property No. S-15, located at 2601 Windsor Road and 2328 Hartford Road is recommended for sale. This property was purchased for street widening and is no longer needed. Mr. Betts stated that duplex development would be the most economical use for this property. The Commission then

**VOTED:** To APPROVE the sale of City Property No. S-15, subject to the retention of right-of-way for street to the property line, retention of the existing five-foot public utility easement along rear of the lot, required twenty-five foot building setback from Windsor Road and Hartford Road, and restriction to the present "A" Residence zoning of the lot.

**AYE:** Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

The staff reported that City Property No. S-22, located at 2421 Winsted Lane is recommended for sale. The adjacent property owner wishes to purchase this ten-foot strip of land to replace property taken from his lot for the MoPac Expressway. The Commission then

**VOTED:** To APPROVE the sale of City Property No. S-22, subject to the retention of the MoPac right-of-way and the existing sanitary sewer easement, and the stipulation that this property may not be considered as a separate building site.

**AYE:** Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

The staff reported that City Property No. S-122, located at 3407 East 1st Street is recommended for sale. This property was purchased for Electric Department right-of-way and is no longer needed. The Commission then

**VOTED:** To APPROVE the sale of City Property No. S-122, subject to retention of the existing public utility easement, and requiring short form subdivision prior to issuance of building permit.

**AYE:** Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C9-72-4

PARK PLANNING

Parks in Model Cities area: application for Federal funding.

Mr. Richard Lillie, Director of Planning, reported that this application is being made by the City of Austin for the Model Cities area to obtain Federal funding for the renovation of three neighborhood park areas, which are within or directly related to the Model Cities Area. Included are Civitan, containing 5.39 acres of land; Comal, containing 0.75 acres of land; and Rosewood, containing 13.39 acres of land. The facilities to be developed or renovated include play areas, irrigation systems, shelters, rest rooms, play apparatus, tennis court fencing, park fencing, park roads, and light systems.

The application to the Federal government is for fifty per cent of the total cost, which is \$125,464, with fifty per cent being \$62,732. It is a requirement of the application that the Planning Commission and the City Council approve the proposal as submitted by the Parks and Recreation Department through the Model Cities Agency.

The City's portion of the \$62,732 is included in the second-year program of Model Cities, and will be paid for by Model Cities funds. The second-year program has been approved by the City Council and the Federal Government.

It is the recommendation of the Parks and Recreation Department and the Planning Department that these plans be approved as being in conformance with the Model Cities Program for the purpose of submitting this application to the Federal Government.

The members reviewed the breakdown of the cost of these improvements, which include \$16,364 for the master plan, construction plans and specifications, and \$190,100 for construction. Consideration was given to the specific costs of improvements to the individual park facilities. They commented that the estimates of costs for improvements are reasonable. The Commission then

**VOTED:** To recommend APPROVAL of application by Model Cities for matching Federal funds for renovation of Civitan, Comal and Rosewood Parks to the Federal Government.

**AYE:** Messrs. Milstead, Barrow, Betts, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

**ADJOURNMENT:** The meeting was adjourned at 12:00 p.m.

  
Richard R. Lillie  
Executive Secretary